

Union Calendar No. 460

107TH CONGRESS
2^D SESSION**H. R. 5605****[Report No. 107-740]**

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. WALSH, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 Departments of Veteran Affairs and Housing and Urban
 2 Development, and for sundry independent agencies,
 3 boards, commissions, corporations, and offices for the fis-
 4 cal year ending September 30, 2003, and for other pur-
 5 poses, namely:

6 TITLE I—DEPARTMENT OF VETERANS AFFAIRS

7 VETERANS BENEFITS ADMINISTRATION

8 COMPENSATION AND PENSIONS

9 (INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation benefits to or on
 11 behalf of veterans and a pilot program for disability ex-
 12 aminations as authorized by law (38 U.S.C. 107, chapters
 13 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
 14 on behalf of veterans as authorized by law (38 U.S.C.
 15 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
 16 ial benefits, emergency and other officers' retirement pay,
 17 adjusted-service credits and certificates, payment of pre-
 18 miums due on commercial life insurance policies guaran-
 19 teed under the provisions of article IV of the Soldiers' and
 20 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et
 21 seq.) and for other benefits as authorized by law (38
 22 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,
 23 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;
 24 45 Stat. 735; 76 Stat. 1198), \$28,949,000,000 to remain
 25 available until expended: *Provided*, That not to exceed
 26 \$17,138,000 of the amount appropriated under this head-

ing shall be reimbursed to General operating expenses and Medical care for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the Compensation and pensions appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to the Medical facilities revolving fund to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$2,264,808,000 to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
 2 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
 3 Stat. 487, \$27,530,000 to remain available until ex-
 4 pended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM
 6 ACCOUNT

7 (INCLUDING TRANSFER OF FUNDS)

8 For the cost of direct and guaranteed loans, such
 9 sums as may be necessary to carry out the program, as
 10 authorized by 38 U.S.C. chapter 37, as amended: *Pro-*
 11 *vided*, That such costs, including the cost of modifying
 12 such loans, shall be as defined in section 502 of the Con-
 13 gressional Budget Act of 1974, as amended: *Provided fur-*
 14 *ther*, That during fiscal year 2003, within the resources
 15 available, not to exceed \$300,000 in gross obligations for
 16 direct loans are authorized for specially adapted housing
 17 loans.

18 In addition, for administrative expenses to carry out
 19 the direct and guaranteed loan programs, \$168,207,000,
 20 which may be transferred to and merged with the appro-
 21 priation for General operating expenses.

22 EDUCATION LOAN FUND PROGRAM ACCOUNT
 23 (INCLUDING TRANSFER OF FUNDS)

24 For the cost of direct loans, \$1,000, as authorized
 25 by 38 U.S.C. 3698, as amended: *Provided*, That such
 26 costs, including the cost of modifying such loans, shall be

1 as defined in section 502 of the Congressional Budget Act
2 of 1974, as amended: *Provided further*, That these funds
3 are available to subsidize gross obligations for the prin-
4 cipal amount of direct loans not to exceed \$3,400.

5 In addition, for administrative expenses necessary to
6 carry out the direct loan program, \$70,000, which may
7 be transferred to and merged with the appropriation for
8 General operating expenses.

9 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
10 (INCLUDING TRANSFER OF FUNDS)

11 For the cost of direct loans, \$55,000, as authorized
12 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
13 costs, including the cost of modifying such loans, shall be
14 as defined in section 502 of the Congressional Budget Act
15 of 1974, as amended: *Provided further*, That funds made
16 available under this heading are available to subsidize
17 gross obligations for the principal amount of direct loans
18 not to exceed \$3,626,000.

19 In addition, for administrative expenses necessary to
20 carry out the direct loan program, \$289,000, which may
21 be transferred to and merged with the appropriation for
22 General operating expenses.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the direct
5 loan program authorized by 38 U.S.C. chapter 37, sub-
6 chapter V, as amended, \$558,000, which may be trans-
7 ferred to and merged with the appropriation for General
8 operating expenses: *Provided*, That no new loans in excess
9 of \$5,000,000 may be made in fiscal year 2003.

10 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
11 HOMELESS VETERANS PROGRAM ACCOUNT

12 For the administrative expenses to carry out the
13 guaranteed transitional housing loan program authorized
14 by 38 U.S.C. chapter 37, subchapter VI, not to exceed
15 \$750,000 of the amounts appropriated by this Act for
16 General operating expenses and Medical care may be ex-
17 pended.

18 VETERANS HEALTH ADMINISTRATION
19 MEDICAL CARE
20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses for the maintenance and op-
22 eration of hospitals, nursing homes, and domiciliary facili-
23 ties; for furnishing, as authorized by law, inpatient and
24 outpatient care and treatment to beneficiaries of the De-
25 partment of Veterans Affairs, including care and treat-
26 ment in facilities not under the jurisdiction of the depart-

1 ment; and furnishing recreational facilities, supplies, and
2 equipment; funeral, burial, and other expenses incidental
3 thereto for beneficiaries receiving care in the department;
4 administrative expenses in support of planning, design,
5 project management, real property acquisition and disposi-
6 tion, construction and renovation of any facility under the
7 jurisdiction or for the use of the department; oversight,
8 engineering and architectural activities not charged to
9 project cost; repairing, altering, improving or providing fa-
10 cilities in the several hospitals and homes under the juris-
11 diction of the department, not otherwise provided for, ei-
12 ther by contract or by the hire of temporary employees
13 and purchase of materials; uniforms or allowances there-
14 for, as authorized by 5 U.S.C. 5901–5902; aid to State
15 homes as authorized by 38 U.S.C. 1741; administrative
16 and legal expenses of the department for collecting and
17 recovering amounts owed the department as authorized
18 under 38 U.S.C. chapter 17, and the Federal Medical
19 Care Recovery Act, 42 U.S.C. 2651 et seq.,
20 \$23,889,304,000, plus reimbursements: *Provided*, That of
21 the funds made available under this heading,
22 \$250,000,000 is for the equipment and land and struc-
23 tures object classifications only, which amount shall not
24 become available for obligation until August 1, 2003, and
25 shall remain available until September 30, 2004: *Provided*

1 *further*, That of the funds made available under this head-
2 ing, not to exceed \$900,000,000 shall be available until
3 September 30, 2004: *Provided further*, That the Secretary
4 of Veterans Affairs shall conduct by contract a program
5 of recovery audits for the fee basis and other medical serv-
6 ices contracts with respect to payments for hospital care;
7 and, notwithstanding 31 U.S.C. 3302(b), amounts col-
8 lected, by setoff or otherwise, as the result of such audits
9 shall be available, without fiscal year limitation, for the
10 purposes for which funds are appropriated under this
11 heading and the purposes of paying a contractor a percent
12 of the amount collected as a result of an audit carried
13 out by the contractor: *Provided further*, That all amounts
14 so collected under the preceding proviso with respect to
15 a designated health care region (as that term is defined
16 in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of pay-
17 ments to the contractor, to that region.

18 MEDICAL CARE COLLECTIONS FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 Amounts deposited during the current fiscal year in
21 the Department of Veterans Affairs Medical Care Collec-
22 tions Fund under section 1729A of title 38, United States
23 Code, shall be transferred to Medical care, to remain avail-
24 able until expended.

1 MEDICAL AND PROSTHETIC RESEARCH

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses in carrying out programs of
4 medical and prosthetic research and development as au-
5 thorized by 38 U.S.C. chapter 73, to remain available until
6 September 30, 2004, \$405,000,000, plus reimbursements:
7 *Provided*, That of the funds available under this heading
8 \$5,000,000 shall be transferred to Medical care for re-
9 search oversight activities.

10 MEDICAL ADMINISTRATION AND MISCELLANEOUS

11 OPERATING EXPENSES

12 For necessary expenses in the administration of the
13 medical, hospital, nursing home, domiciliary, construction,
14 supply, and research activities, as authorized by law; ad-
15 ministrative expenses in support of capital policy activi-
16 ties, \$74,716,000, plus reimbursements: *Provided*, That
17 technical and consulting services offered by the Facilities
18 Management Field Service, including project management
19 and real property administration (including leases, site ac-
20 quisition and disposal activities directly supporting
21 projects), shall be provided to Department of Veterans Af-
22 fairs components only on a reimbursable basis, and such
23 amounts will remain available until September 30, 2003.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL OPERATING EXPENSES

3 For necessary operating expenses of the Department
4 of Veterans Affairs, not otherwise provided for, including
5 administrative expenses in support of department-wide
6 capital planning, management and policy activities, uni-
7 forms or allowances therefor; not to exceed \$25,000 for
8 official reception and representation expenses; hire of pas-
9 senger motor vehicles; and reimbursement of the General
10 Services Administration for security guard services, and
11 the Department of Defense for the cost of overseas em-
12 ployee mail, \$1,251,418,000: *Provided*, That expenses for
13 services and assistance authorized under 38 U.S.C.
14 3104(a)(1), (2), (5), and (11) that the Secretary deter-
15 mines are necessary to enable entitled veterans: (1) to the
16 maximum extent feasible, to become employable and to ob-
17 tain and maintain suitable employment; or (2) to achieve
18 maximum independence in daily living, shall be charged
19 to this account: *Provided further*, That the Veterans Bene-
20 fits Administration shall be funded at not less than
21 \$992,100,000: *Provided further*, That of the funds made
22 available under this heading, not to exceed \$60,000,000
23 shall be available for obligation until September 30, 2004:
24 *Provided further*, That from the funds made available
25 under this heading, the Veterans Benefits Administration

1 may purchase up to two passenger motor vehicles for use
2 in operations of that Administration in Manila, Phil-
3ippines: *Provided further*, That travel expenses for this ac-
4count shall not exceed \$17,082,000.

5 NATIONAL CEMETERY ADMINISTRATION

6 For necessary expenses of the National Cemetery Ad-
7ministration for operations and maintenance, not other-
8wise provided for, including uniforms or allowances there-
9for; cemeterial expenses as authorized by law; purchase
10of one passenger motor vehicle for use in cemeterial oper-
11ations; and hire of passenger motor vehicles,
12\$133,149,000.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15General in carrying out the Inspector General Act of 1978,
16as amended, \$61,000,000.

17 CONSTRUCTION, MAJOR PROJECTS

18 For constructing, altering, extending and improving
19any of the facilities under the jurisdiction or for the use
20of the Department of Veterans Affairs, or for any of the
21purposes set forth in sections 316, 2404, 2406, 8102,
228103, 8106, 8108, 8109, 8110, and 8122 of title 38,
23United States Code, including planning, architectural and
24engineering services, maintenance or guarantee period
25services costs associated with equipment guarantees pro-
26vided under the project, services of claims analysts, offsite

1 utility and storm drainage system construction costs, and
2 site acquisition, where the estimated cost of a project is
3 \$4,000,000 or more or where funds for a project were
4 made available in a previous major project appropriation,
5 \$193,740,000, to remain available until expended, of
6 which \$5,000,000 shall be for Capital Asset Realignment
7 for Enhanced Services (CARES) activities; and of which
8 \$10,000,000 shall be to make reimbursements as provided
9 in 41 U.S.C. 612 for claims paid for contract disputes:
10 *Provided*, That except for advance planning activities, in-
11 cluding needs assessments which may or may not lead to
12 capital investments, and other capital asset management
13 related activities, such as portfolio development and man-
14 agement activities, and investment strategy studies funded
15 through the advance planning fund and the planning and
16 design activities funded through the design fund and
17 CARES funds, including needs assessments which may or
18 may not lead to capital investments, none of the funds
19 appropriated under this heading shall be used for any
20 project which has not been approved by the Congress in
21 the budgetary process: *Provided further*, That funds pro-
22 vided in this appropriation for fiscal year 2003, for each
23 approved project (except those for CARES activities ref-
24 erenced above) shall be obligated: (1) by the awarding of
25 a construction documents contract by September 30,

1 2003; and (2) by the awarding of a construction contract
2 by September 30, 2004: *Provided further*, That the Sec-
3 retary of Veterans Affairs shall promptly report in writing
4 to the Committees on Appropriations any approved major
5 construction project in which obligations are not incurred
6 within the time limitations established above: *Provided*
7 *further*, That no funds from any other account except the
8 Parking revolving fund, may be obligated for constructing,
9 altering, extending, or improving a project which was ap-
10 proved in the budget process and funded in this account
11 until one year after substantial completion and beneficial
12 occupancy by the Department of Veterans Affairs of the
13 project or any part thereof with respect to that part only.

14 CONSTRUCTION, MINOR PROJECTS

15 For constructing, altering, extending, and improving
16 any of the facilities under the jurisdiction or for the use
17 of the Department of Veterans Affairs, including planning
18 and assessments of needs which may lead to capital invest-
19 ments, architectural and engineering services, mainte-
20 nance or guarantee period services costs associated with
21 equipment guarantees provided under the project, services
22 of claims analysts, offsite utility and storm drainage sys-
23 tem construction costs, and site acquisition, or for any of
24 the purposes set forth in sections 316, 2404, 2406, 8102,
25 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title
26 38, United States Code, where the estimated cost of a

1 project is less than \$4,000,000, \$240,700,000, to remain
2 available until expended, along with unobligated balances
3 of previous “Construction, minor projects” appropriations
4 which are hereby made available for any project where the
5 estimated cost is less than \$4,000,000, of which
6 \$35,000,000 shall be for Capital Asset Realignment for
7 Enhanced Services (CARES) activities: *Provided*, That
8 from amounts appropriated under this heading, additional
9 amounts may be used for CARES activities upon notifica-
10 tion of and approval by the Committees on Appropria-
11 tions: *Provided further*, That funds in this account shall
12 be available for: (1) repairs to any of the nonmedical facili-
13 ties under the jurisdiction or for the use of the department
14 which are necessary because of loss or damage caused by
15 any natural disaster or catastrophe; and (2) temporary
16 measures necessary to prevent or to minimize further loss
17 by such causes.

18 PARKING REVOLVING FUND

19 For the parking revolving fund as authorized by 38
20 U.S.C. 8109, income from fees collected, to remain avail-
21 able until expended, which shall be available for all author-
22 ized expenses except operations and maintenance costs,
23 which will be funded from Medical care.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify or alter existing hospital, nursing home and
6 domiciliary facilities in State homes, for furnishing care
7 to veterans as authorized by 38 U.S.C. 8131–8137,
8 \$100,000,000, to remain available until expended.

9 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
10 CEMETERIES

11 For grants to aid States in establishing, expanding,
12 or improving State veterans cemeteries as authorized by
13 38 U.S.C. 2408, \$32,000,000, to remain available until
14 expended.

15 ADMINISTRATIVE PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 101. Any appropriation for fiscal year 2003 for
18 “Compensation and pensions”, “Readjustment benefits”,
19 and “Veterans insurance and indemnities” may be trans-
20 ferred to any other of the mentioned appropriations.

21 SEC. 102. Appropriations available to the Depart-
22 ment of Veterans Affairs for fiscal year 2003 for salaries
23 and expenses shall be available for services authorized by
24 5 U.S.C. 3109.

25 SEC. 103. No appropriations in this Act for the De-
26 partment of Veterans Affairs (except the appropriations

1 for “Construction, major projects”, “Construction, minor
2 projects”, and the “Parking revolving fund”) shall be
3 available for the purchase of any site for or toward the
4 construction of any new hospital or home.

5 SEC. 104. No appropriations in this Act for the De-
6 partment of Veterans Affairs shall be available for hos-
7 pitalization or examination of any persons (except bene-
8 ficiaries entitled under the laws bestowing such benefits
9 to veterans, and persons receiving such treatment under
10 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-
11 imbursement of cost is made to the “Medical care” ac-
12 count at such rates as may be fixed by the Secretary of
13 Veterans Affairs.

14 SEC. 105. Appropriations available to the Depart-
15 ment of Veterans Affairs for fiscal year 2003 for “Com-
16 pensation and pensions”, “Readjustment benefits”, and
17 “Veterans insurance and indemnities” shall be available
18 for payment of prior year accrued obligations required to
19 be recorded by law against the corresponding prior year
20 accounts within the last quarter of fiscal year 2002.

21 SEC. 106. Appropriations accounts available to the
22 Department of Veterans Affairs for fiscal year 2003 shall
23 be available to pay prior year obligations of corresponding
24 prior year appropriations accounts resulting from title X
25 of the Competitive Equality Banking Act, Public Law

1 100–86, except that if such obligations are from trust
2 fund accounts they shall be payable from “Compensation
3 and pensions”.

4 SEC. 107. Notwithstanding any other provision of
5 law, during fiscal year 2003, the Secretary of Veterans
6 Affairs shall, from the National Service Life Insurance
7 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-
8 ance Fund (38 U.S.C. 1923), and the United States Gov-
9 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
10 burse the “General operating expenses” account for the
11 cost of administration of the insurance programs financed
12 through those accounts: *Provided*, That reimbursement
13 shall be made only from the surplus earnings accumulated
14 in an insurance program in fiscal year 2003 that are avail-
15 able for dividends in that program after claims have been
16 paid and actuarially determined reserves have been set
17 aside: *Provided further*, That if the cost of administration
18 of an insurance program exceeds the amount of surplus
19 earnings accumulated in that program, reimbursement
20 shall be made only to the extent of such surplus earnings:
21 *Provided further*, That the Secretary shall determine the
22 cost of administration for fiscal year 2003 which is prop-
23 erly allocable to the provision of each insurance program
24 and to the provision of any total disability income insur-
25 ance included in such insurance program.

1 SEC. 108. Notwithstanding any other provision of
2 law, the Department of Veterans Affairs shall continue the
3 Franchise Fund pilot program authorized to be estab-
4 lished by section 403 of Public Law 103–356 until Octo-
5 ber 1, 2003: *Provided*, That the Franchise Fund, estab-
6 lished by title I of Public Law 104–204 to finance the
7 operations of the Franchise Fund pilot program, shall con-
8 tinue until October 1, 2003.

9 SEC. 109. Amounts deducted from enhanced-use
10 lease proceeds to reimburse an account for expenses in-
11 curred by that account during a prior fiscal year for pro-
12 viding enhanced-use lease services, may be obligated dur-
13 ing the fiscal year in which the proceeds are received.

14 SEC. 110. Funds available in any Department of Vet-
15 erans Affairs appropriation for fiscal year 2003 or funds
16 for salaries and other administrative expenses shall also
17 be available to reimburse the Office of Resolution Manage-
18 ment and the Office of Employment Discrimination Com-
19 plaint Adjudication for all services provided at rates which
20 will recover actual costs but not exceed \$29,318,000 for
21 the Office of Resolution Management and \$3,010,000 for
22 the Office of Employment and Discrimination Complaint
23 Adjudication: *Provided*, That payments may be made in
24 advance for services to be furnished based on estimated
25 costs: *Provided further*, That amounts received shall be

1 credited to “General operating expenses” for use by the
2 office that provided the service.

3 SEC. 111. No appropriations in this Act for the De-
4 partment of Veterans Affairs shall be available to enter
5 into any new lease of real property if the estimated annual
6 rental is more than \$300,000 unless the Secretary submits
7 a report which the Committees on Appropriations of the
8 Congress approve within 30 days following the date on
9 which the report is received.

10 SEC. 112. No appropriations in this Act for the De-
11 partment of Veterans Affairs shall be available for hos-
12 pitalization or treatment of any person by reason of eligi-
13 bility under section 1710(a)(3) of title 38, United States
14 Code, unless that person has disclosed to the Secretary
15 of Veterans Affairs, in such form as the Secretary may
16 require—

17 (1) current, accurate third-party reimbursement
18 information for purposes of section 1729 of such
19 title; and

20 (2) annual income information for purposes of
21 section 1722 of such title.

22 SEC. 113. No appropriations in this Act for the De-
23 partment of Veterans Affairs shall be available for the im-
24 plementation of the amendments made by section 202 of
25 Public Law 107–135 (115 Stat. 2457).

1 SEC. 114. (a) No appropriations in this Act for the
2 Department of Veterans Affairs shall be available for the
3 adjudication of any claim for disability compensation filed
4 after the date of the enactment of a new concurrent re-
5 ceipt law by a veteran who is entitled to retired or retainer
6 pay based upon service in the uniformed services if the
7 Secretary determines that, if compensation under the
8 claim is awarded to the claimant, the veteran will, by rea-
9 son of the new concurrent receipt law, be entitled to pay-
10 ment of both compensation under the claim and some
11 amount of such retired pay determined without regard to
12 the provisions of sections 5304 and 5305 of title 38,
13 United States Code.

14 (b) For purposes of subsection (a), the term “new
15 concurrent receipt law” means a provision of law enacted
16 after October 1, 2002, that provides that certain veterans
17 are entitled to be paid both veterans’ disability compensa-
18 tion and military retired pay (in whole or in part) without
19 regard to sections 5304 and 5305 of title 38, United
20 States Code.

21 SEC. 115. (a)(1) Section 1729B of title 38, United
22 States Code, is repealed. Any balance as of the date of
23 the enactment of this Act in the Department of Veterans
24 Affairs Health Services Improvement Fund established
25 under such section shall be transferred to the Department

1 of Veterans Affairs Medical Care Collections Fund estab-
2 lished under section 1729A of title 38, United States
3 Code.

4 (2) The table of sections at the beginning of chapter
5 17 of such title is amended by striking the item relating
6 to section 1729B.

7 (b) Section 1729A(b) of such title is amended—

8 (1) by redesignating paragraph (8) as para-
9 graph (10); and

10 (2) by inserting after paragraph (7) the fol-
11 lowing new paragraphs:

12 “(8) Section 8165(a) of this title.

13 “(9) Section 113 of the Veterans Millennium
14 Health Care and Benefits Act (Public Law 106–117;
15 38 U.S.C. 8111 note).”.

16 (c) Section 1722A of such title is amended—

17 (1) in subsection (c)—

18 (A) in the first sentence, by striking
19 “under subsection (a)” and inserting “under
20 this section”; and

21 (B) by striking the second sentence; and

22 (2) by striking subsection (d).

23 (d)(1) Section 8165 of such title is amended by strik-
24 ing “Department of Veterans Affairs Health Services Im-
25 provement Fund established under section 1729B of this

1 title” and inserting “Department of Veterans Affairs Med-
2 ical Care Collections Fund established under section
3 1729A of this title”.

4 (2) Section 113(b) of the Veterans Millennium
5 Health Care and Benefits Act (Public Law 106–117; 38
6 U.S.C. 8111 note) is amended by striking “Department
7 of Veterans Affairs Health Services Improvement Fund
8 established under section 1729B of title 38, United States
9 Code, as added by section 202” and inserting “Depart-
10 ment of Veterans Affairs Medical Care Collections Fund
11 established under section 1729A of title 38, United States
12 Code”.

13 SEC. 116. Of the amounts provided in this Act,
14 \$19,900,000 shall be for information technology initiatives
15 to support the enterprise architecture of the Department
16 of Veterans Affairs.

17 SEC. 117. None of the funds in this Act may be used
18 to implement the provisions of H.R. 3253 as passed by
19 the House of Representatives on September 18, 2002.

20 SEC. 118. Of the funds made available in Medical
21 care and the Medical care collections fund, not more than
22 \$110,000,000 may be used for security training and
23 equipment.

1 TITLE II—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT
3 PUBLIC AND INDIAN HOUSING
4 HOUSING CERTIFICATE FUND
5 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

6 For activities and assistance under the United States
7 Housing Act of 1937, as amended (42 U.S.C. 1437 et
8 seq.) (“the Act” herein), not otherwise provided for,
9 \$16,586,987,000, and amounts that are recaptured in this
10 account, to remain available until expended: *Provided*,
11 That of the amounts made available under this heading,
12 \$12,386,987,000 and the aforementioned recaptures shall
13 be available on October 1, 2002, and \$4,200,000,000 shall
14 be available on October 1, 2003: *Provided further*, That
15 amounts made available under this heading are provided
16 as follows:

17 (1) \$14,614,970,000 for expiring or termi-
18 nating section 8 project-based subsidy contracts, for
19 amendments to section 8 project-based subsidy con-
20 tracts, for contracts entered into pursuant to section
21 441 of the McKinney-Vento Homeless Assistance
22 Act, for the 1-year renewal of section 8 contracts for
23 units in projects that are subject to approved plans
24 of action under the Emergency Low Income Housing
25 Preservation Act of 1987 or the Low-Income Hous-
26 ing Preservation and Resident Homeownership Act

1 of 1990, and for renewals of expiring section 8 ten-
2 ant-based annual contributions contracts (including
3 amendments and renewals of enhanced vouchers
4 under any provision of law authorizing such assist-
5 ance under section 8(t) of the Act (42 U.S.C.
6 1437f(t)): *Provided*, That notwithstanding any other
7 provision of law, the Secretary shall renew expiring
8 section 8 tenant-based annual contributions con-
9 tracts for each public housing agency (including
10 agencies participating in the Moving to Work Dem-
11 onstration) based on the total number of unit
12 months which were under lease as reported on the
13 most recent end-of-year financial statement sub-
14 mitted by the public housing agency to the Depart-
15 ment, and by applying an inflation factor based on
16 local or regional factors to the actual per unit cost
17 as reported on such statement.

18 (2) \$280,000,000 for a central fund to be allo-
19 cated by the Secretary for amendments to section 8
20 tenant-based annual contributions contracts for pur-
21 poses set forth in this paragraph: *Provided*, That the
22 Secretary may use amounts made available in such
23 fund, as necessary, for contract amendments result-
24 ing from any change in the total number of unit
25 months under lease as compared to the most recent

1 end-of-year financial statement submitted by the
2 public housing agency: *Provided further*, That to the
3 extent that amounts made available in such fund are
4 not required for purposes set forth in the previous
5 proviso, the Secretary may use such amounts to
6 make available additional assistance to a public
7 housing agency that has 97 percent of its total num-
8 ber of reserved units under lease, if such agency can
9 demonstrate to the satisfaction of the Secretary that
10 such assistance will be placed under a section 8
11 housing assistance payment contract within 90 days
12 of such funds being provided to the agency: *Provided*
13 *further*, That the Secretary shall recapture amounts
14 made available in the previous proviso from any pub-
15 lic housing agency if such funds have not been
16 placed under a section 8 housing assistance payment
17 contract within 180 days from the date such funds
18 were provided to the agency: *Provided further*, That
19 in allocating additional assistance pursuant to the
20 previous two provisos, not more than 10 percent of
21 the total amount available for allocation pursuant to
22 the second proviso under this paragraph may be pro-
23 vided to an individual public housing agency: *Pro-*
24 *vided further*, That the Secretary shall provide quar-
25 terly reports to the Committees on Appropriations of

1 the House and the Senate on the obligation of funds
2 provided in this paragraph in accordance with the
3 directions specified in the report accompanying this
4 Act.

5 (3) \$234,017,000 for section 8 rental assistance
6 for relocation and replacement of housing units that
7 are demolished or disposed of pursuant to the Omni-
8 bus Consolidated Rescissions and Appropriations Act
9 of 1996 (Public Law 104–134), conversion of section
10 23 projects to assistance under section 8, the family
11 unification program under section 8(x) of the Act,
12 relocation of witnesses in connection with efforts to
13 combat crime in public and assisted housing pursu-
14 ant to a request from a law enforcement or prosecu-
15 tion agency, enhanced vouchers under any provision
16 of law authorizing such assistance under section 8(t)
17 of the Act (42 U.S.C. 1437f(t)), and tenant protec-
18 tion assistance, including replacement and relocation
19 assistance.

20 (4) \$36,000,000 for incremental vouchers under
21 section 8 of the Act to be made available to non-
22 elderly disabled families affected by the designation
23 of a public housing development under section 7 of
24 the Act, the establishment of preferences in accord-
25 ance with section 651 of the Housing and Commu-

1 nity Development Act of 1992 (42 U.S.C. 13611), or
2 the restriction of occupancy to elderly families in ac-
3 cordance with section 658 of such Act (42 U.S.C.
4 13618), and to the extent the Secretary determines
5 that such amount is not needed to fund applications
6 for such families, to other nonelderly disabled fami-
7 lies.

8 (5) \$46,000,000 for family self-sufficiency coor-
9 dinators under section 23 of the Act.

10 (6) not to exceed \$1,177,000,000 for adminis-
11 trative and other expenses of public housing agencies
12 in administering the section 8 tenant-based rental
13 assistance program, of which \$50,000,000 is for
14 such expenses associated with section 8 tenant-based
15 assistance provided under this heading in para-
16 graphs (2), (3), and (4): *Provided*, That, notwith-
17 standing any other provision of law, administrative
18 fees shall be paid only for dwelling units covered by
19 a section 8 housing assistance payments contract
20 and such fees shall be paid on a per-unit basis at
21 a rate that shall not exceed 10 percent of the total
22 monthly rental subsidy payment of such unit: *Pro-*
23 *vided further*, That all amounts provided under this
24 Act, and all amounts previously provided, to a public
25 housing authority which remain available in an ad-

1 ministrative fee reserve account shall be only for ac-
2 tivities related to the provision of rental assistance
3 under section 8: *Provided further*, That the Sec-
4 retary shall provide a report to the Committees on
5 Appropriations of the House of Representatives and
6 the Senate no later than February 1, 2003, on ad-
7 ministrative costs and other expenses associated with
8 the section 8 tenant-based rental assistance program
9 in accordance with the directions included in the re-
10 report accompanying this Act.

11 (7) \$196,000,000 for contract administrators
12 for section 8 project-based assistance.

13 (8) Not less than \$3,000,000 shall be trans-
14 ferred to the Working Capital Fund for the develop-
15 ment of and modifications to information technology
16 systems which serve activities under “Public and In-
17 dian Housing”:

18 *Provided further*, That, hereafter, the Secretary shall re-
19 quire public housing agencies to submit accounting data
20 for funds disbursed under this heading by source of funds:

21 *Provided further*, That \$1,300,000,000 is rescinded from
22 unobligated balances remaining from funds appropriated
23 to the Department of Housing and Urban Development
24 under this heading or the heading “Annual contributions
25 for assisted housing” or any other heading for fiscal year

1 2002 and prior years, to be effected by the Secretary no
2 later than September 30, 2003: *Provided further*, That any
3 obligated balances of contract authority that have been
4 terminated shall be cancelled.

5 PUBLIC HOUSING CAPITAL FUND

6 (INCLUDING TRANSFERS OF FUNDS)

7 For the Public Housing Capital Fund Program to
8 carry out capital and management activities for public
9 housing agencies, as authorized under section 9 of the
10 United States Housing Act of 1937, as amended (42
11 U.S.C. 1437g), \$2,843,400,000 (the “Act”), to remain
12 available until September 30, 2006: *Provided*, That of the
13 total amount provided under this heading, in addition to
14 amounts otherwise allocated under this heading,
15 \$550,000,000 shall be allocated for such capital and man-
16 agement activities only among public housing agencies
17 that have obligated all assistance for the agency for fiscal
18 years 1998, 1999, 2000, and 2001 made available under
19 this same heading in accordance with the requirements
20 under paragraphs (1) and (2) of section 9(j) of such Act:
21 *Provided further*, That notwithstanding any other provi-
22 sion of law or regulation, during fiscal year 2003, the Sec-
23 retary may not delegate to any Department official other
24 than the Deputy Secretary any authority under paragraph
25 (2) of such section 9(j) regarding the extension of the time
26 periods under such section for obligation of amounts made

1 available for fiscal year 1998, 1999, 2000, 2001, 2002,
2 or 2003: *Provided further*, That notwithstanding the first
3 proviso and paragraphs (3) and (5)(B) of such section
4 9(j), if at any time before the effectiveness of final regula-
5 tions issued by the Secretary under section 6(j) of the
6 United States Housing Act of 1937 (42 U.S.C. 1437d(j))
7 providing for assessment of public housing agencies and
8 designation of high-performing agencies, any amounts
9 made available under the public housing Capital Fund for
10 fiscal year 1999, 2000, 2001, 2002, or 2003 remain unob-
11 ligated in violation of paragraph (1) of such section 9(j)
12 or unexpended in violation of paragraph (5)(A) of such
13 section 9(j), the Secretary shall recapture any such
14 amounts and reallocate such amounts among public hous-
15 ing agencies that, at the time of such reallocation, are not
16 in violation of any requirement under paragraph (1) or
17 (5)(A) of such section: *Provided further*, That for purposes
18 of this heading, the term “obligate” means, with respect
19 to amounts, that the amounts are subject to a binding
20 agreement that will result in outlays immediately or in the
21 future: *Provided further*, That the Secretary shall issue
22 final regulations to carry out section 9(j) of the United
23 States Housing Act of 1937 (42 U.S.C. 1437g(j)), not
24 later than May 1, 2003: *Provided further*, That of the total
25 amount provided under this heading, up to \$51,000,000

1 shall be for carrying out activities under section 9(h) of
2 such Act, of which up to \$11,000,000 shall be for the pro-
3 vision of remediation services to public housing agencies
4 identified as “troubled” under the Section 8 Management
5 Assessment Program and for surveys used to calculate
6 local Fair Market Rents and assess housing conditions in
7 connection with rental assistance under section 8 of the
8 Act: *Provided further*, That of the total amount provided
9 under this heading, up to \$500,000 shall be for lease ad-
10 justments to section 23 projects, and no less than
11 \$18,600,000 shall be transferred to the Working Capital
12 Fund for the development of and modifications to informa-
13 tion technology systems which serve programs or activities
14 under “Public and Indian housing”: *Provided further*,
15 That no funds may be used under this heading for the
16 purposes specified in section 9(k) of the United States
17 Housing Act of 1937, as amended: *Provided further*, That
18 of the total amount provided under this heading, up to
19 \$75,000,000 shall be available for the Secretary of Hous-
20 ing and Urban Development to make grants to public
21 housing agencies for emergency capital needs resulting
22 from emergencies and natural disasters in fiscal year
23 2003: *Provided further*, That of the total amount provided
24 under this heading, \$15,000,000 shall be for Neighbor-
25 hood Networks grants for activities authorized in section

1 9(d)(1)(E) of the United States Housing Act of 1937, as
 2 amended: *Provided further*, That notwithstanding any
 3 other provision of law, amounts made available in the pre-
 4 vious proviso shall be awarded to public housing agencies
 5 on a competitive basis as provided in section 102 of the
 6 Department of Housing and Urban Development Reform
 7 Act of 1989: *Provided further*, That of the total amount
 8 provided under this heading, \$55,000,000 shall be for sup-
 9 portive services, service coordinators and congregate serv-
 10 ices as authorized by section 34 of the Act and the Native
 11 American Housing Assistance and Self-Determination Act
 12 of 1996.

13 PUBLIC HOUSING OPERATING FUND

14 For fiscal year 2003 payments to public housing
 15 agencies for the operation and management of public
 16 housing, as authorized by section 9(e) of the United States
 17 Housing Act of 1937, as amended (42 U.S.C. 1437g(e)),
 18 \$3,600,000,000: *Provided*, That of the total amount pro-
 19 vided under this heading, \$10,000,000 shall be for pro-
 20 grams, as determined appropriate by the Attorney Gen-
 21 eral, which assist in the investigation, prosecution, and
 22 prevention of violent crimes and drug offenses in public
 23 and federally-assisted low-income housing, including In-
 24 dian housing, which shall be administered by the Depart-
 25 ment of Justice through a reimbursable agreement with
 26 the Department of Housing and Urban Development: *Pro-*

1 *vided further*, That no funds may be used under this head-
 2 ing for the purposes specified in section 9(k) of the United
 3 States Housing Act of 1937, as amended.

4 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC

5 HOUSING (HOPE VI)

6 For grants to public housing agencies for demolition,
 7 site revitalization, replacement housing, and tenant-based
 8 assistance grants to projects as authorized by section 24
 9 of the United States Housing Act of 1937, as amended,
 10 \$574,000,000, to remain available until September 30,
 11 2004, of which the Secretary may use up to \$6,250,000
 12 for technical assistance and contract expertise, to be pro-
 13 vided directly or indirectly by grants, contracts or coopera-
 14 tive agreements, including training and cost of necessary
 15 travel for participants in such training, by or to officials
 16 and employees of the department and of public housing
 17 agencies and to residents: *Provided*, That none of such
 18 funds shall be used directly or indirectly by granting com-
 19 petitive advantage in awards to settle litigation or pay
 20 judgments, unless expressly permitted herein: *Provided*
 21 *further*, That of the total amount provided under this
 22 heading, \$5,000,000 shall be for a Neighborhood Net-
 23 works initiative for activities authorized in section
 24 24(d)(1)(G) of the United States Housing Act of 1937,
 25 as amended: *Provided further*, That notwithstanding any
 26 other provision of law, amounts made available in the pre-

1 vious proviso shall be awarded to public housing agencies
2 on a competitive basis as provided in section 102 of the
3 Department of Housing and Urban Development Reform
4 Act of 1989.

5 NATIVE AMERICAN HOUSING BLOCK GRANTS

6 (INCLUDING TRANSFERS OF FUNDS)

7 For the Native American Housing Block Grants pro-
8 gram, as authorized under title I of the Native American
9 Housing Assistance and Self-Determination Act of 1996
10 (NAHASDA) (25 U.S.C. 4111 et seq.), \$649,000,000, to
11 remain available until expended, of which \$2,200,000 shall
12 be contracted through the Secretary as technical assist-
13 ance and capacity building to be used by the National
14 American Indian Housing Council in support of the imple-
15 mentation of NAHASDA; of which \$3,000,000 shall be
16 to support the inspection of Indian housing units, contract
17 expertise, training, and technical assistance in the train-
18 ing, oversight, and management of Indian housing and
19 tenant-based assistance, including up to \$300,000 for re-
20 lated travel; and of which no less than \$600,000 shall be
21 transferred to the Working Capital Fund for development
22 of and modifications to information technology systems
23 which serve programs or activities under “Public and In-
24 dian housing”: *Provided*, That of the amount provided
25 under this heading, \$2,000,000 shall be made available
26 for the cost of guaranteed notes and other obligations, as

1 authorized by title VI of NAHASDA: *Provided further*,
 2 That such costs, including the costs of modifying such
 3 notes and other obligations, shall be as defined in section
 4 502 of the Congressional Budget Act of 1974, as amend-
 5 ed: *Provided further*, That these funds are available to sub-
 6 sidize the total principal amount of any notes and other
 7 obligations, any part of which is to be guaranteed, not to
 8 exceed \$16,658,000: *Provided further*, That for adminis-
 9 trative expenses to carry out the guaranteed loan program,
 10 up to \$150,000 from amounts in the first proviso, which
 11 shall be transferred to and merged with the appropriation
 12 for “Salaries and expenses”, to be used only for the ad-
 13 ministrative costs of these guarantees.

14 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

15 ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For the cost of guaranteed loans, as authorized by
 18 section 184 of the Housing and Community Development
 19 Act of 1992 (12 U.S.C. 1715z–13a), \$5,300,000, to re-
 20 main available until expended, of which \$100,000 shall be
 21 for necessary expenses of the Land Title Report Commis-
 22 sion pursuant to section 501(a) of Public Law 106–569:
 23 *Provided*, That such costs, including the costs of modi-
 24 fying such loans, shall be as defined in section 502 of the
 25 Congressional Budget Act of 1974, as amended: *Provided*
 26 *further*, That these funds are available to subsidize total

1 loan principal, any part of which is to be guaranteed, not
2 to exceed \$197,243,000.

3 In addition, for administrative expenses to carry out
4 the guaranteed loan program, up to \$200,000 from
5 amounts in the first paragraph, which shall be transferred
6 to and merged with the appropriation for “Salaries and
7 expenses”, to be used only for the administrative costs of
8 these guarantees.

9 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

10 PROGRAM ACCOUNT

11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of guaranteed loans, as authorized by
13 section 184A of the Housing and Community Develop-
14 ment Act of 1992 (12 U.S.C. 1715z–13b), \$1,035,000, to
15 remain available until expended: *Provided*, That such
16 costs, including the costs of modifying such loans, shall
17 be as defined in section 502 of the Congressional Budget
18 Act of 1974, as amended: *Provided further*, That these
19 funds are available to subsidize total loan principal, any
20 part of which is to be guaranteed, not to exceed
21 \$39,712,000.

22 In addition, for administrative expenses to carry out
23 the guaranteed loan program, up to \$35,000 from
24 amounts in the first paragraph, which shall be transferred
25 to and merged with the appropriation for “Salaries and

1 expenses”, to be used only for the administrative costs of
2 these guarantees.

3 COMMUNITY PLANNING AND DEVELOPMENT

4 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

5 For carrying out the Housing Opportunities for Per-
6 sons with AIDS program, as authorized by the AIDS
7 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
8 \$292,000,000, to remain available until September 30,
9 2004: *Provided*, That the Secretary shall renew all expir-
10 ing contracts for permanent supportive housing that were
11 funded under section 854(c)(3) of such Act that meet all
12 program requirements before awarding funds for new con-
13 tracts and activities authorized under this section: *Pro-*
14 *vided further*, That the Secretary may use up to
15 \$2,000,000 of the funds under this heading for training,
16 oversight, and technical assistance activities.

17 RURAL HOUSING AND ECONOMIC DEVELOPMENT

18 For the Office of Rural Housing and Economic De-
19 velopment in the Department of Housing and Urban De-
20 velopment, \$25,000,000 to remain available until ex-
21 pended, which amount shall be awarded by June 1, 2003,
22 to Indian tribes, State housing finance agencies, State
23 community and/or economic development agencies, local
24 rural nonprofits and community development corporations
25 to support innovative housing and economic development
26 activities in rural areas: *Provided*, That all grants shall

1 be awarded on a competitive basis as specified in section
 2 102 of the Department of Housing and Urban Develop-
 3 ment Reform Act of 1989.

4 EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

5 For grants in connection with a second round of em-
 6 powerment zones and enterprise communities,
 7 \$30,000,000, to remain available until September 30,
 8 2005, for “Urban Empowerment Zones”, as authorized in
 9 section 1391(g) of the Internal Revenue Code of 1986 (26
 10 U.S.C. 1391(g)), including \$2,000,000 for each empower-
 11 ment zone for use in conjunction with economic develop-
 12 ment activities consistent with the strategic plan of each
 13 empowerment zone.

14 COMMUNITY DEVELOPMENT FUND

15 (INCLUDING TRANSFERS OF FUNDS)

16 For assistance to units of State and local govern-
 17 ment, and to other entities, for economic and community
 18 development activities, and for other purposes,
 19 \$5,000,000,000, to remain available until September 30,
 20 2005: *Provided*, That of the amount provided,
 21 \$4,577,000,000 is for carrying out the community devel-
 22 opment block grant program under title I of the Housing
 23 and Community Development Act of 1974, as amended
 24 (the “Act” herein) (42 U.S.C. 5301 et seq.): *Provided fur-*
 25 *ther*, That unless explicitly provided for under this heading
 26 (except for planning grants provided for in the third para-

1 graph under this heading and amounts made available in
2 the second paragraph), not to exceed 20 percent of any
3 grant made with funds appropriated under this heading
4 shall be expended for planning and management develop-
5 ment or administration (other than grants made available
6 to the Housing Assistance Council or the National Amer-
7 ican Indian Housing Council, or a grant using funds under
8 section 107(b)(3) of the Act): *Provided further*, That
9 \$70,000,000 shall be for grants to Indian tribes notwith-
10 standing section 106(a)(1) of such Act; \$3,300,000 shall
11 be for a grant to the Housing Assistance Council;
12 \$2,200,000 shall be for a grant to the National American
13 Indian Housing Council; \$5,000,000 shall be available as
14 a grant to the National Housing Development Corpora-
15 tion, for operating expenses not to exceed \$2,000,000 and
16 for a program of affordable housing acquisition and reha-
17 bilitation; \$5,000,000 shall be available as a grant to the
18 National Council of La Raza for the HOPE Fund, of
19 which \$500,000 is for technical assistance and fund man-
20 agement, and \$4,500,000 is for investments in the HOPE
21 Fund and financing to affiliated organizations;
22 \$33,500,000 shall be for grants pursuant to section 107
23 of the Act; \$9,600,000 shall be made available to the De-
24 partment of Hawaiian Homelands to provide assistance as
25 authorized under title VIII of the Native American Hous-

1 ing Assistance and Self-Determination Act of 1996 (22
2 U.S.C. 4221 et seq.), with no more than 5 percent of such
3 funds being available for administrative costs; no less than
4 \$3,400,000 shall be transferred to the Working Capital
5 Fund for the development of and modification to informa-
6 tion technology systems which serve programs or activities
7 under “Community planning and development”;
8 \$28,500,000 shall be for grants pursuant to the Self Help
9 Homeownership Opportunity Program; \$29,500,000 shall
10 be for capacity building, of which \$25,000,000 shall be
11 for Capacity Building for Community Development and
12 Affordable Housing for LIHC and the Enterprise Founda-
13 tion for activities as authorized by section 4 of the HUD
14 Demonstration Act of 1993 (42 U.S.C. 9816 note), as in
15 effect immediately before June 12, 1997, with not less
16 than \$5,000,000 of the funding to be used in rural areas,
17 including tribal areas, and of which \$4,500,000 shall be
18 for capacity building activities administered by Habitat for
19 Humanity International; \$65,000,000 shall be available
20 for YouthBuild program activities authorized by subtitle
21 D of title IV of the Cranston-Gonzalez National Afford-
22 able Housing Act, as amended, and such activities shall
23 be an eligible activity with respect to any funds made
24 available under this heading: *Provided*, That local
25 YouthBuild programs that demonstrate an ability to lever-

1 age private and nonprofit funding shall be given a priority
2 for YouthBuild funding: *Provided further*, That no more
3 than 10 percent of any grant award under the YouthBuild
4 program may be used for administrative costs: *Provided*
5 *further*, That of the amount made available for
6 YouthBuild not less than \$10,000,000 is for grants to es-
7 tablish YouthBuild programs in underserved and rural
8 areas and \$2,000,000 is to be made available for a grant
9 to YouthBuild USA for capacity building for community
10 development and affordable housing activities as specified
11 in section 4 of the HUD Demonstration Act of 1993, as
12 amended.

13 Of the amount made available under this heading,
14 \$23,400,000 shall be available for neighborhood initiatives
15 that are utilized to improve the conditions of distressed
16 and blighted areas and neighborhoods, to stimulate invest-
17 ment, economic diversification, and community revitaliza-
18 tion in areas with population outmigration or a stagnating
19 or declining economic base, or to determine whether hous-
20 ing benefits can be integrated more effectively with welfare
21 reform initiatives: *Provided*, That these grants shall be
22 provided in accordance with the terms and conditions
23 specified in the report accompanying this Act.

24 Of the amount made available under this heading,
25 \$144,600,000 shall be available for grants for the Eco-

1 nomic Development Initiative (EDI) to finance a variety
2 of targeted economic investments in accordance with the
3 terms and conditions specified in the report accompanying
4 this Act.

5 The referenced statement of the managers under this
6 heading in Public Law 107–73 is deemed to be amended
7 with respect to the amount made available to the City of
8 Rome, New York, by striking “related to the South Rome
9 Industrial Park” and inserting “and building renovations
10 at the Rome business and tech park”.

11 The referenced statement of the managers under this
12 heading in Public Law 107–73 is deemed to be amended
13 with respect to a grant made available to the Community
14 Medical Centers of Fresno, California by striking all after
15 “\$300,000” and inserting “to the City of Fresno, Cali-
16 fornia for rehabilitation of the Fresno Community Re-
17 gional Medical Center neighborhood.”.

18 The referenced statement of the managers under this
19 heading in Public Law 106–377 and 107–73 is deemed
20 to be amended with respect to grants made to the City
21 of Mt. Clemens, Michigan by striking “City of Mt.
22 Clemens, Michigan” and inserting “Mt. Clemens Commu-
23 nity Schools in Mt. Clemens, Michigan”.

1 COMMUNITY DEVELOPMENT LOAN GUARANTEES

2 PROGRAM ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of guaranteed loans, \$6,325,000, to re-
5 main available until September 30, 2004, as authorized
6 by section 108 of the Housing and Community Develop-
7 ment Act of 1974, as amended: *Provided*, That such costs,
8 including the cost of modifying such loans, shall be as de-
9 fined in section 502 of the Congressional Budget Act of
10 1974, as amended: *Provided further*, That these funds are
11 available to subsidize total loan principal, any part of
12 which is to be guaranteed, not to exceed \$275,000,000,
13 notwithstanding any aggregate limitation on outstanding
14 obligations guaranteed in section 108(k) of the Housing
15 and Community Development Act of 1974, as amended.

16 In addition, for administrative expenses to carry out
17 the guaranteed loan program, \$1,000,000, which shall be
18 transferred to and merged with the appropriation for
19 “Salaries and expenses”.

20 BROWNFIELDS REDEVELOPMENT

21 For Economic Development Grants, as authorized by
22 section 108(q) of the Housing and Community Develop-
23 ment Act of 1974, as amended, for Brownfields redevelop-
24 ment projects, \$25,000,000, to remain available until Sep-
25 tember 30, 2004: *Provided*, That the Secretary of Housing
26 and Urban Development shall make these grants available

1 on a competitive basis as specified in section 102 of the
2 Department of Housing and Urban Development Reform
3 Act of 1989.

4 HOME INVESTMENT PARTNERSHIPS PROGRAM
5 (INCLUDING TRANSFER OF FUNDS)

6 For the HOME investment partnerships program, as
7 authorized under title II of the Cranston-Gonzalez Na-
8 tional Affordable Housing Act, as amended,
9 \$2,021,040,000, to remain available until September 30,
10 2005: *Provided*, That of the total amount provided in this
11 paragraph, up to \$25,000,000 shall be available for hous-
12 ing counseling under section 106 of the Housing and
13 Urban Development Act of 1968; and no less than
14 \$1,100,000 shall be transferred to the Working Capital
15 Fund for the development of, maintenance of, and modi-
16 fication to information technology systems which serve
17 programs or activities under “Community planning and
18 development”.

19 In addition to amounts otherwise made available
20 under this heading, \$200,000,000, to remain available
21 until September 30, 2005, for assistance to homebuyers
22 as authorized under title II of the Cranston-Gonzalez Na-
23 tional Affordable Housing Act, as amended: *Provided*,
24 That the Secretary shall provide such assistance in accord-
25 ance with a formula to be established by the Secretary

1 that considers a participating jurisdiction's need for, and
2 prior commitment to, assistance to homebuyers.

3 HOMELESS ASSISTANCE GRANTS

4 (INCLUDING TRANSFER OF FUNDS)

5 For the emergency shelter grants program as author-
6 ized under subtitle B of title IV of the McKinney-Vento
7 Homeless Assistance Act, as amended; the supportive
8 housing program as authorized under subtitle C of title
9 IV of such Act; the section 8 moderate rehabilitation sin-
10 gle room occupancy program as authorized under the
11 United States Housing Act of 1937, as amended, to assist
12 homeless individuals pursuant to section 441 of the
13 McKinney-Vento Homeless Assistance Act; and the shelter
14 plus care program as authorized under subtitle F of title
15 IV of such Act, \$1,250,000,000, to remain available until
16 September 30, 2005: *Provided*, That not less than 30 per-
17 cent of funds made available, excluding amounts provided
18 for renewals under the shelter plus care program, shall
19 be used for permanent housing: *Provided further*, That all
20 funds awarded for services shall be matched by 25 percent
21 in funding by each grantee: *Provided further*, That the
22 Secretary shall renew on an annual basis expiring con-
23 tracts or amendments to contracts funded under the shel-
24 ter plus care program if the program is determined to be
25 needed under the applicable continuum of care and meets
26 appropriate program requirements and financial stand-

ards, as determined by the Secretary: *Provided further*,
That all awards of assistance under this heading shall be
required to coordinate and integrate homeless programs
with other mainstream health, social services, and employ-
ment programs for which homeless populations may be eli-
gible, including Medicaid, State Children’s Health Insur-
ance Program, Temporary Assistance for Needy Families,
Food Stamps, and services funding through the Mental
Health and Substance Abuse Block Grant, Workforce In-
vestment Act, and the Welfare-to-Work grant program:
Provided further, That \$11,000,000 of the funds appro-
priated under this heading shall be available for the na-
tional homeless data analysis project: *Provided further*,
That \$6,600,000 of the funds appropriated under this
heading shall be available for technical assistance: *Pro-
vided further*, That no less than \$1,500,000 of the funds
appropriated under this heading shall be transferred to
the Working Capital Fund for the development of and
modifications to information technology systems which
serve activities under “Community planning and develop-
ment”: *Provided further*, That \$1,500,000 shall be made
available to the Interagency Council on the Homeless for
administrative needs: *Provided further*, That of the total
amount provided under this heading, \$10,000,000 shall be
made available for a two-year demonstration program to

1 be conducted in consultation with the Interagency Council
2 on the Homeless to review and document the best prac-
3 tices of homeless programs.

4 HOUSING PROGRAMS

5 HOUSING FOR SPECIAL POPULATIONS

6 (INCLUDING TRANSFER OF FUNDS)

7 For assistance for the purchase, construction, acqui-
8 sition, or development of additional public and subsidized
9 housing units for low income families not otherwise pro-
10 vided for, \$1,100,000,000, to remain available until Sep-
11 tember 30, 2005: *Provided*, That \$790,903,000, plus re-
12 captures or cancelled commitments, shall be for capital ad-
13 vances, including amendments to capital advance con-
14 tracts, for housing for the elderly, as authorized by section
15 202 of the Housing Act of 1959, as amended, and for
16 project rental assistance for the elderly under section
17 202(c)(2) of such Act, including amendments to contracts
18 for such assistance and renewal of expiring contracts for
19 such assistance for up to a 1-year term, and for supportive
20 services associated with the housing, of which amount
21 \$50,000,000 shall be for service coordinators and the con-
22 tinuation of existing congregate service grants for resi-
23 dents of assisted housing projects, and of which amount
24 \$30,000,000 shall be for grants under section 202b of the
25 Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion
26 of eligible projects under such section to assisted living

1 or related use: *Provided further*, That of the amount under
2 this heading, \$259,097,000 shall be for capital advances,
3 including amendments to capital advance contracts, for
4 supportive housing for persons with disabilities, as author-
5 ized by section 811 of the Cranston-Gonzalez National Af-
6 fordable Housing Act, for project rental assistance for
7 supportive housing for persons with disabilities under sec-
8 tion 811(d)(2) of such Act, including amendments to con-
9 tracts for such assistance and renewal of expiring con-
10 tracts for such assistance for up to a 1-year term, and
11 for supportive services associated with the housing for per-
12 sons with disabilities as authorized by section 811(b)(1)
13 of such Act, and for tenant-based rental assistance con-
14 tracts entered into pursuant to section 811 of such Act:
15 *Provided further*, That of the amount made available
16 under this heading, \$50,000,000 shall be available to the
17 Secretary of Housing and Urban Development only for
18 making grants to private nonprofit organizations and con-
19 sumer cooperatives for covering costs of architectural and
20 engineering work, site control, and other planning relating
21 to the development of supportive housing for the elderly
22 that is eligible for assistance under section 202 of the
23 Housing Act of 1959 (12 U.S.C. 1701q): *Provided further*,
24 That amounts made available in the previous proviso shall
25 be awarded on a competitive basis as provided in section

1 102 of the Department of Housing and Urban Develop-
2 ment Reform Act of 1989: *Provided further*, That the Sec-
3 retary shall provide a report to the Committees on Appro-
4 priations of the House and Senate not later than March
5 1, 2003, in accordance with the direction included in the
6 report accompanying this Act: *Provided further*, That no
7 less than \$500,000, to be divided evenly between the ap-
8 propriations for the section 202 and section 811 pro-
9 grams, shall be transferred to the Working Capital Fund
10 for the development of and modifications to information
11 technology systems which serve activities under “Housing
12 programs” or “Federal housing administration”: *Provided*
13 *further*, That, in addition to amounts made available for
14 renewal of tenant-based rental assistance contracts pursu-
15 ant to the second proviso of this paragraph, the Secretary
16 may designate up to 25 percent of the amounts earmarked
17 under this paragraph for section 811 of such Act for ten-
18 ant-based assistance, as authorized under that section, in-
19 cluding such authority as may be waived under the next
20 proviso, which assistance is 5 years in duration: *Provided*
21 *further*, That all balances and recaptures, as of October
22 1, 2002, remaining in the “Congregate housing services”
23 account as authorized by the Housing and Community De-
24 velopment Amendments of 1978, as amended, shall be

1 transferred to and merged with the amounts for those pur-
 2 poses under this heading.

3 FLEXIBLE SUBSIDY FUND

4 (TRANSFER OF FUNDS)

5 From the Rental Housing Assistance Fund, all un-
 6 committed balances of excess rental charges as of Sep-
 7 tember 30, 2002, and any collections made during fiscal
 8 year 2003, shall be transferred to the Flexible Subsidy
 9 Fund, as authorized by section 236(g) of the National
 10 Housing Act, as amended.

11 RENTAL HOUSING ASSISTANCE

12 (RESCISSION)

13 Up to \$100,000,000 of recaptured section 236 budget
 14 authority resulting from prepayment of mortgages sub-
 15 sidized under section 236 of the National Housing Act (12
 16 U.S.C. 1715z-1) shall be rescinded in fiscal year 2003:
 17 *Provided*, That the limitation otherwise applicable to the
 18 maximum payments that may be required in any fiscal
 19 year by all contracts entered into under section 236 is re-
 20 duced in fiscal year 2003 by not more than \$100,000,000
 21 in uncommitted balances of authorizations of contract au-
 22 thority provided for this purpose in appropriations Acts.

23 MANUFACTURED HOUSING FEES TRUST FUND

24 For necessary expenses as authorized by the National
 25 Manufactured Housing Construction and Safety Stand-
 26 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),

1 \$13,000,000, to remain available until expended, to be de-
 2 rived from the Manufactured Housing Fees Trust Fund:
 3 *Provided*, That not to exceed the total amount appro-
 4 priated under this heading shall be available from the gen-
 5 eral fund of the Treasury to the extent necessary to incur
 6 obligations and make expenditures pending the receipt of
 7 collections to the Fund pursuant to section 620 of such
 8 Act: *Provided further*, That the amount made available
 9 under this heading from the general fund shall be reduced
 10 as such collections are received during fiscal year 2003
 11 so as to result in a final fiscal year 2003 appropriation
 12 from the general fund estimated at not more than \$0 and
 13 fees pursuant to such section 620 shall be modified as nec-
 14 essary to ensure such a final fiscal year 2003 appropria-
 15 tion.

16 FEDERAL HOUSING ADMINISTRATION
 17 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
 18 (INCLUDING TRANSFERS OF FUNDS)
 19 During fiscal year 2003, commitments to guarantee
 20 loans to carry out the purposes of section 203(b) of the
 21 National Housing Act, as amended, shall not exceed a loan
 22 principal of \$165,000,000,000.

23 During fiscal year 2003, obligations to make direct
 24 loans to carry out the purposes of section 204(g) of the
 25 National Housing Act, as amended, shall not exceed
 26 \$50,000,000: *Provided*, That the foregoing amount shall

1 be for loans to nonprofit and governmental entities in con-
2 nection with sales of single family real properties owned
3 by the Secretary and formerly insured under the Mutual
4 Mortgage Insurance Fund.

5 For administrative expenses necessary to carry out
6 the guaranteed and direct loan program, \$347,829,000,
7 of which not to exceed \$343,807,000 shall be transferred
8 to the appropriation for “Salaries and expenses”; and not
9 to exceed \$4,022,000 shall be transferred to the appro-
10 priation for “Office of Inspector General”. In addition, for
11 administrative contract expenses, \$85,720,000, of which
12 no less than \$21,360,000 shall be transferred to the Work-
13 ing Capital Fund for the development of and modifications
14 to information technology systems which serve programs
15 or activities under “Housing programs” or “Federal hous-
16 ing administration”: *Provided*, That to the extent guaran-
17 teed loan commitments exceed \$65,500,000,000 on or be-
18 fore April 1, 2003, an additional \$1,400 for administrative
19 contract expenses shall be available for each \$1,000,000
20 in additional guaranteed loan commitments (including a
21 pro rata amount for any amount below \$1,000,000), but
22 in no case shall funds made available by this proviso ex-
23 ceed \$16,000,000.

1 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of guaranteed loans, as authorized by
4 sections 238 and 519 of the National Housing Act (12
5 U.S.C. 1715z-3 and 1735c), including the cost of loan
6 guarantee modifications, as that term is defined in section
7 502 of the Congressional Budget Act of 1974, as amend-
8 ed, \$15,000,000, to remain available until expended: *Pro-*
9 *vided*, That these funds are available to subsidize total
10 loan principal, any part of which is to be guaranteed, of
11 up to \$23,000,000,000.

12 Gross obligations for the principal amount of direct
13 loans, as authorized by sections 204(g), 207(l), 238, and
14 519(a) of the National Housing Act, shall not exceed
15 \$50,000,000, of which not to exceed \$30,000,000 shall be
16 for bridge financing in connection with the sale of multi-
17 family real properties owned by the Secretary and for-
18 merly insured under such Act; and of which not to exceed
19 \$20,000,000 shall be for loans to nonprofit and govern-
20 mental entities in connection with the sale of single-family
21 real properties owned by the Secretary and formerly in-
22 sured under such Act.

23 In addition, for administrative expenses necessary to
24 carry out the guaranteed and direct loan programs,
25 \$223,716,000, of which \$204,395,000, shall be trans-
26 ferred to the appropriation for “Salaries and expenses”;

1 and of which \$19,321,000 shall be transferred to the ap-
 2 propriation for “Office of Inspector General”.

3 In addition, for administrative contract expenses nec-
 4 essary to carry out the guaranteed and direct loan pro-
 5 grams, \$93,780,000, of which no less than \$14,240,000
 6 shall be transferred to the Working Capital Fund for the
 7 development of and modifications to information tech-
 8 nology systems which serve activities under “Housing pro-
 9 grams” or “Federal housing administration”: *Provided*,
 10 That to the extent guaranteed loan commitments exceed
 11 \$8,426,000,000 on or before April 1, 2003, an additional
 12 \$1,980 for administrative contract expenses shall be avail-
 13 able for each \$1,000,000 in additional guaranteed loan
 14 commitments over \$8,426,000,000 (including a pro rata
 15 amount for any increment below \$1,000,000), but in no
 16 case shall funds made available by this proviso exceed
 17 \$14,400,000.

18 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 19 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 20 GUARANTEE PROGRAM ACCOUNT
 21 (INCLUDING TRANSFER OF FUNDS)

22 New commitments to issue guarantees to carry out
 23 the purposes of section 306 of the National Housing Act,
 24 as amended (12 U.S.C. 1721(g)), shall not exceed
 25 \$200,000,000,000, to remain available until September
 26 30, 2004.

1 For administrative expenses necessary to carry out
 2 the guaranteed mortgage-backed securities program,
 3 \$10,343,000, to be derived from the GNMA guarantees
 4 of mortgage-backed securities guaranteed loan receipt ac-
 5 count, of which not to exceed \$10,343,000, shall be trans-
 6 ferred to the appropriation for “Salaries and expenses”.

7 POLICY DEVELOPMENT AND RESEARCH

8 RESEARCH AND TECHNOLOGY

9 For contracts, grants, and necessary expenses of pro-
 10 grams of research and studies relating to housing and
 11 urban problems, not otherwise provided for, as authorized
 12 by title V of the Housing and Urban Development Act
 13 of 1970, as amended (12 U.S.C. 1701z–1 et seq.), includ-
 14 ing carrying out the functions of the Secretary under sec-
 15 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
 16 \$47,000,000, to remain available until September 30,
 17 2004: *Provided*, That of the total amount provided under
 18 this heading, \$7,000,000 shall be for the Partnership for
 19 Advancing Technology in Housing (PATH) Initiative.

20 FAIR HOUSING AND EQUAL OPPORTUNITY

21 FAIR HOUSING ACTIVITIES

22 For contracts, grants, and other assistance, not oth-
 23 erwise provided for, as authorized by title VIII of the Civil
 24 Rights Act of 1968, as amended by the Fair Housing
 25 Amendments Act of 1988, and section 561 of the Housing

1 and Community Development Act of 1987, as amended,
 2 \$45,899,000, to remain available until September 30,
 3 2004, of which \$20,250,000 shall be to carry out activities
 4 pursuant to such section 561: *Provided*, That no funds
 5 made available under this heading shall be used to lobby
 6 the executive or legislative branches of the Federal Gov-
 7 ernment in connection with a specific contract, grant or
 8 loan.

9 OFFICE OF LEAD HAZARD CONTROL

10 LEAD HAZARD REDUCTION

11 For the Lead Hazard Reduction Program, as author-
 12 ized by section 1011 of the Residential Lead-Based Paint
 13 Hazard Reduction Act of 1992, \$126,000,000, to remain
 14 available until September 30, 2004, of which \$10,000,000
 15 shall be for the Healthy Homes Initiative, pursuant to sec-
 16 tions 501 and 502 of the Housing and Urban Develop-
 17 ment Act of 1970 that shall include research, studies, test-
 18 ing, and demonstration efforts, including education and
 19 outreach concerning lead-based paint poisoning and other
 20 housing-related diseases and hazards.

21 MANAGEMENT AND ADMINISTRATION

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary administrative and non-administrative
 25 expenses of the Department of Housing and Urban Devel-
 26 opment, not otherwise provided for, including purchase of

1 uniforms, or allowances therefor, as authorized by 5
2 U.S.C. 5901–5902; hire of passenger motor vehicles; serv-
3 ices as authorized by 5 U.S.C. 3109; and not to exceed
4 \$25,000 for official reception and representation expenses,
5 \$1,090,229,000, of which \$20,000,000 shall remain avail-
6 able until September 30, 2004, for funds control improve-
7 ments; and of which \$548,202,000 shall be provided from
8 the various funds of the Federal Housing Administration,
9 \$10,343,000 shall be provided from funds of the Govern-
10 ment National Mortgage Association, \$1,000,000 shall be
11 provided from the “Community development loan guaran-
12 tees program” account, \$150,000 shall be provided by
13 transfer from the “Native American housing block grants”
14 account, \$200,000 shall be provided by transfer from the
15 “Indian housing loan guarantee fund program” account
16 and \$35,000 shall be transferred from the “Native Hawai-
17 ian housing loan guarantee fund” account: *Provided*, That
18 funds made available under this heading shall only be allo-
19 cated in the manner specified in the report accompanying
20 this Act unless the Committees on Appropriations of both
21 the House of Representatives and the Senate are notified
22 of any changes in an operating plan or reprogramming:
23 *Provided further*, That no less than \$10,500,000 shall be
24 transferred to the Working Capital Fund for the develop-
25 ment of and modifications to information technology sys-

1 tems: *Provided further*, That of the total amount made
2 available under this heading, not less than \$21,000,000
3 is to be made available to the Chief Financial Officer ex-
4 clusively for activities to implement appropriate funds con-
5 trol systems, including improvements in automated finan-
6 cial management systems, additional training of depart-
7 mental employees in proper fund control procedures, and
8 establishment of a division of appropriations law within
9 the Office of the Chief Financial Officer: *Provided further*,
10 That the Chief Financial Officer shall submit a revised
11 departmental funds control handbook to the Committees
12 on Appropriations of the House and Senate no later than
13 30 days after enactment of this Act: *Provided further*,
14 That no official or employee of the Department shall be
15 designated as an allotment holder unless the Office of the
16 Chief Financial Officer (OCFO) has determined that such
17 allotment holder has implemented an adequate system of
18 funds control and has received training in funds control
19 procedures and directives: *Provided further*, That the Sec-
20 retary shall, within 30 days of enactment of this Act, per-
21 manently transfer no fewer than four appropriations law
22 attorneys from the Legislative Division of the Office of
23 Legislation and Regulations, Office of General Counsel to
24 the OCFO: *Provided further*, That personnel transferred
25 pursuant to the previous proviso shall report directly to

1 the Chief Financial Officer: *Provided further*, That, not-
2 withstanding any other provision of law, hereafter, the
3 Chief Financial Officer of the Department of Housing and
4 Urban Development shall, in consultation with the Budget
5 Officer, have sole authority to investigate potential or ac-
6 tual violations under the Anti-Deficiency Act (31 U.S.C.
7 1341 et seq.) and all other statutes and regulations related
8 to the obligation and expenditure of funds made available
9 in this, or any other Act; shall determine whether viola-
10 tions exist; and shall submit final reports on violations to
11 the Secretary, the President, the Office of Management
12 and Budget and the Congress in accordance with applica-
13 ble statutes and Office of Management and Budget circu-
14 lars: *Provided further*, That the Chief Financial Officer
15 shall establish positive control of and maintain adequate
16 systems of accounting for appropriations and other avail-
17 able funds as required by 31 U.S.C. 1514: *Provided fur-*
18 *ther*, That for the purpose of determining whether a viola-
19 tion exists under the Anti-Deficiency Act (31 U.S.C. 1341
20 et seq.), the point of obligation shall be the executed agree-
21 ment or contract: *Provided further*, That the Chief Finan-
22 cial Officer shall: (a) appoint qualified personnel to con-
23 duct investigations of potential or actual violations; (b) es-
24 tablish minimum training requirements and other quali-
25 fications for personnel that may be appointed to conduct

1 investigations; (c) establish guidelines and timeframes for
2 the conduct and completion of investigations; (d) prescribe
3 the content, format and other requirements for the sub-
4 mission of final reports on violations; and (e) prescribe
5 such additional policies and procedures as may be required
6 for conducting investigations of, and administering, proc-
7 essing, and reporting on, potential and actual violations
8 of the Anti-Deficiency Act and all other statutes and regu-
9 lations governing the obligation and expenditure of funds
10 made available in this or any other Act: *Provided further*,
11 That the Secretary shall fill 7 out of 10 vacancies at the
12 GS-14 and GS-15 levels until the total number of GS-
13 14 and GS-15 positions in the Department has been re-
14 duced from the number of GS-14 and GS-15 positions
15 on the date of enactment of Public Law 106-377 by 2½
16 percent: *Provided further*, That the Secretary shall submit
17 a staffing plan for the Department by January 15, 2003.

18 WORKING CAPITAL FUND

19 For additional capital for the Working Capitol Fund
20 (42 U.S.C. 3535) for the development of, modifications
21 to, and infrastructure for Department-wide information
22 technology systems, and for the continuing operation of
23 both Department-wide and program-specific information
24 systems, \$276,300,000, to remain available until Sep-
25 tember 30, 2004: *Provided*, That any amounts transferred
26 to this Fund under this Act shall remain available until

1 expended: *Provided further*, That none of the funds made
2 available to the Department in this Act, or any other Act,
3 may be used to award a new contract for the HUD Infor-
4 mation Technology Services (HITS) project until 90 days
5 after the Department has submitted to the Committees
6 on Appropriations of the House of Representatives and the
7 Senate a comprehensive five-year information technology
8 plan in accordance with the direction included in the re-
9 port accompanying this Act.

10 OFFICE OF INSPECTOR GENERAL

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Office of Inspector
13 General in carrying out the Inspector General Act of 1978,
14 as amended, \$96,684,000, of which \$23,343,000 shall be
15 provided from the various funds of the Federal Housing
16 Administration: *Provided*, That the Inspector General
17 shall have independent authority over all personnel issues
18 within: *Provided further*, That no less than \$300,000 shall
19 be transferred to the Working Capital Fund for the devel-
20 opment of and modifications to information technology
21 systems for the Office of Inspector General.

22 CONSOLIDATED FEE FUND

23 (RESCISSION)

24 All unobligated balances remaining available from
25 fees and charges under section 7(j) of the Department of

1 Housing and Urban Development Act on October 1, 2002
2 are rescinded.

3 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFER OF FUNDS)

6 For carrying out the Federal Housing Enterprises
7 Financial Safety and Soundness Act of 1992, including
8 not to exceed \$500 for official reception and representa-
9 tion expenses, \$30,000,000, to remain available until ex-
10 pended, to be derived from the Federal Housing Enter-
11 prises Oversight Fund: *Provided*, That not to exceed such
12 amount shall be available from the general fund of the
13 Treasury to the extent necessary to incur obligations and
14 make expenditures pending the receipt of collections to the
15 Fund: *Provided further*, That the general fund amount
16 shall be reduced as collections are received during the fis-
17 cal year so as to result in a final appropriation from the
18 general fund estimated at not more than \$0: *Provided fur-*
19 *ther*, That this Office shall submit a staffing plan to the
20 House and Senate Committees on Appropriations no later
21 than January 30, 2003.

22 ADMINISTRATIVE PROVISIONS

23 SEC. 201. Fifty percent of the amounts of budget au-
24 thority, or in lieu thereof 50 percent of the cash amounts
25 associated with such budget authority, that are recaptured
26 from projects described in section 1012(a) of the Stewart

1 B. McKinney Homeless Assistance Amendments Act of
2 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
3 case of cash, shall be remitted to the Treasury, and such
4 amounts of budget authority or cash recaptured and not
5 rescinded or remitted to the Treasury shall be used by
6 State housing finance agencies or local governments or
7 local housing agencies with projects approved by the Sec-
8 retary of Housing and Urban Development for which set-
9 tlement occurred after January 1, 1992, in accordance
10 with such section. Notwithstanding the previous sentence,
11 the Secretary may award up to 15 percent of the budget
12 authority or cash recaptured and not rescinded or remitted
13 to the Treasury to provide project owners with incentives
14 to refinance their project at a lower interest rate.

15 SEC. 202. None of the amounts made available under
16 this Act may be used during fiscal year 2003 to investigate
17 or prosecute under the Fair Housing Act any otherwise
18 lawful activity engaged in by one or more persons, includ-
19 ing the filing or maintaining of a non-frivolous legal ac-
20 tion, that is engaged in solely for the purpose of achieving
21 or preventing action by a Government official or entity,
22 or a court of competent jurisdiction.

23 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)
24 of the AIDS Housing Opportunity Act (42 U.S.C.
25 12903(c)(1)(A)), from any amounts made available under

1 this title for fiscal year 2003 that are allocated under such
2 section, the Secretary of Housing and Urban Development
3 shall allocate and make a grant, in the amount determined
4 under subsection (b), for any State that—

5 (1) received an allocation in a prior fiscal year
6 under clause (ii) of such section; and

7 (2) is not otherwise eligible for an allocation for
8 fiscal year 2003 under such clause (ii) because the
9 areas in the State outside of the metropolitan statis-
10 tical areas that qualify under clause (i) in fiscal year
11 2003 do not have the number of cases of acquired
12 immunodeficiency syndrome (AIDS) required under
13 such clause.

14 (b) The amount of the allocation and grant for any
15 State described in subsection (a) shall be an amount based
16 on the cumulative number of AIDS cases in the areas of
17 that State that are outside of metropolitan statistical
18 areas that qualify under clause (i) of such section
19 854(c)(1)(A) in fiscal year 2003, in proportion to AIDS
20 cases among cities and States that qualify under clauses
21 (i) and (ii) of such section and States deemed eligible
22 under subsection (a).

23 SEC. 204. (a) Section 225(a) of the Departments of
24 Veterans Affairs and Housing and Urban Development,
25 and Independent Agencies Appropriations Act, 2000, Pub-

1 lie Law 106–74 (113 Stat. 1076), is amended by striking
2 “year 2000, and the amounts that would otherwise be allo-
3 cated for fiscal year 2001 and fiscal year 2002”, and in-
4 serting “years 2000, 2001, 2002, and 2003”.

5 (b) Notwithstanding any other provision of law, the
6 Secretary of Housing and Urban Development shall allo-
7 cate to Wake County, North Carolina, the amounts that
8 otherwise would be allocated for fiscal year 2003 under
9 section 854(c) of the AIDS Housing Opportunity Act (42
10 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,
11 on behalf of the Raleigh-Durham-Chapel Hill, North Caro-
12 lina Metropolitan Statistical Area. Any amounts allocated
13 to Wake County shall be used to carry out eligible activi-
14 ties under section 855 of such Act (42 U.S.C. 12904)
15 within such metropolitan statistical area.

16 SEC. 205. (a) During fiscal year 2003, in the provi-
17 sion of rental assistance under section 8(o) of the United
18 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-
19 nection with a program to demonstrate the economy and
20 effectiveness of providing such assistance for use in as-
21 sisted living facilities that is carried out in the counties
22 of the State of Michigan specified in subsection (b) of this
23 section, notwithstanding paragraphs (3) and (18)(B)(iii)
24 of such section 8(o), a family residing in an assisted living
25 facility in any such county, on behalf of which a public

1 housing agency provides assistance pursuant to section
2 8(o)(18) of such Act, may be required, at the time the
3 family initially receives such assistance, to pay rent in an
4 amount exceeding 40 percent of the monthly adjusted in-
5 come of the family by such a percentage or amount as
6 the Secretary of Housing and Urban Development deter-
7 mines to be appropriate.

8 (b) The counties specified in this subsection are Oak-
9 land County, Macomb County, Wayne County, and
10 Washtenaw County, in the State of Michigan.

11 SEC. 206. Except as explicitly provided in law, any
12 grant or assistance made pursuant to title II of this Act
13 shall be made on a competitive basis in accordance with
14 section 102 of the Department of Housing and Urban De-
15 velopment Reform Act of 1989.

16 SEC. 207. Funds of the Department of Housing and
17 Urban Development subject to the Government Corpora-
18 tion Control Act or section 402 of the Housing Act of
19 1950 shall be available, without regard to the limitations
20 on administrative expenses, for legal services on a contract
21 or fee basis, and for utilizing and making payment for
22 services and facilities of the Federal National Mortgage
23 Association, Government National Mortgage Association,
24 Federal Home Loan Mortgage Corporation, Federal Fi-
25 nancing Bank, Federal Reserve banks or any member

1 thereof, Federal Home Loan banks, and any insured bank
2 within the meaning of the Federal Deposit Insurance Cor-
3 poration Act, as amended (12 U.S.C. 1811–1831).

4 SEC. 208. Unless otherwise provided for in this Act
5 or through a reprogramming of funds, no part of any ap-
6 propriation for the Department of Housing and Urban
7 Development shall be available for any program, project
8 or activity in excess of amounts set forth in the budget
9 estimates submitted to Congress.

10 SEC. 209. Corporations and agencies of the Depart-
11 ment of Housing and Urban Development which are sub-
12 ject to the Government Corporation Control Act, as
13 amended, are hereby authorized to make such expendi-
14 tures, within the limits of funds and borrowing authority
15 available to each such corporation or agency and in ac-
16 cordance with law, and to make such contracts and com-
17 mitments without regard to fiscal year limitations as pro-
18 vided by section 104 of such Act as may be necessary in
19 carrying out the programs set forth in the budget for 2003
20 for such corporation or agency except as hereinafter pro-
21 vided: *Provided*, That collections of these corporations and
22 agencies may be used for new loan or mortgage purchase
23 commitments only to the extent expressly provided for in
24 this Act (unless such loans are in support of other forms
25 of assistance provided for in this or prior appropriations

1 Acts), except that this proviso shall not apply to the mort-
2 gage insurance or guaranty operations of these corpora-
3 tions, or where loans or mortgage purchases are necessary
4 to protect the financial interest of the United States Gov-
5 ernment.

6 SEC. 210. None of the funds provided in this title
7 for technical assistance, training, or management improve-
8 ments may be obligated or expended unless HUD provides
9 to the Committees on Appropriations a description of each
10 proposed activity and a detailed budget estimate of the
11 costs associated with each program, project or activity as
12 part of the Budget Justifications. For fiscal year 2003,
13 HUD shall transmit this information to the Committees
14 by January 15, 2003 for 30 days of review.

15 TITLE III—INDEPENDENT AGENCIES

16 AMERICAN BATTLE MONUMENTS COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses, not otherwise provided for,
19 of the American Battle Monuments Commission, including
20 the acquisition of land or interest in land in foreign coun-
21 tries; purchases and repair of uniforms for caretakers of
22 national cemeteries and monuments outside of the United
23 States and its territories and possessions; rent of office
24 and garage space in foreign countries; purchase (one for
25 replacement only) and hire of passenger motor vehicles;

1 and insurance of official motor vehicles in foreign coun-
2 tries, when required by law of such countries,
3 \$35,246,000, to remain available until expended.

4 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
5 SALARIES AND EXPENSES

6 For necessary expenses in carrying out activities pur-
7 suant to section 112(r)(6) of the Clean Air Act, as amend-
8 ed, including hire of passenger vehicles, uniforms or allow-
9 ances therefor, as authorized by 5 U.S.C. 5901–5902, and
10 for services authorized by 5 U.S.C. 3109, but at rates for
11 individuals not to exceed the per diem equivalent to the
12 maximum rate payable for senior level positions under 5
13 U.S.C. 5376, \$6,500,000, \$4,000,000 of which is to re-
14 main available until September 30, 2003 and \$2,500,000
15 is to remain available until September 30, 2004: *Provided*,
16 That the Chemical Safety and Hazard Investigation Board
17 shall have not more than three career Senior Executive
18 Service positions.

19 DEPARTMENT OF THE TREASURY
20 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
21 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
22 FUND PROGRAM ACCOUNT

23 To carry out the Community Development Banking
24 and Financial Institutions Act of 1994, including services
25 authorized by 5 U.S.C. 3109, but at rates for individuals

1 not to exceed the per diem rate equivalent to the rate for
2 ES-3, \$80,000,000, to remain available until September
3 30, 2004, of which \$2,000,000 shall be for financial assist-
4 ance, technical assistance, and training programs designed
5 to benefit Native American, Native Hawaiian, and Alaska
6 Native communities, up to \$11,005,000 may be used for
7 administrative expenses, including administration of the
8 New Markets Tax Credit, up to \$6,000,000 may be used
9 for the cost of direct loans, and up to \$250,000 may be
10 used for administrative expenses to carry out the direct
11 loan program: *Provided*, That the cost of direct loans, in-
12 cluding the cost of modifying such loans, shall be as de-
13 fined in section 502 of the Congressional Budget Act of
14 1974, as amended: *Provided further*, That these funds are
15 available to subsidize gross obligations for the principal
16 amount of direct loans not to exceed \$11,000,000.

17 CONSUMER PRODUCT SAFETY COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Consumer Product
20 Safety Commission, including hire of passenger motor ve-
21 hicles, services as authorized by 5 U.S.C. 3109, but at
22 rates for individuals not to exceed the per diem rate equiv-
23 alent to the maximum rate payable under 5 U.S.C. 5376,
24 purchase of nominal awards to recognize non-Federal offi-
25 cials' contributions to Commission activities, and not to

1 exceed \$500 for official reception and representation ex-
2 penses, \$57,117,000.

3 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

4 NATIONAL AND COMMUNITY SERVICE PROGRAMS

5 OPERATING EXPENSES

6 Of the funds appropriated under this heading in Pub-
7 lic Law 107–73, the Corporation for National and Com-
8 munity Service shall use such amounts of such funds as
9 may be necessary to carry out the orderly termination of
10 the programs, activities, and initiatives under the National
11 Community Service Act of 1990 (Public Law 103–82) and
12 the Corporation: *Provided*, That such sums shall be uti-
13 lized to resolve all responsibilities and obligations in con-
14 nection with said Corporation.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General in carrying out the Inspector General Act of 1978,
18 as amended, \$5,000,000, to remain available until Sep-
19 tember 30, 2004.

20 ADMINISTRATIVE PROVISION

21 Notwithstanding any other provision of law, the term
22 “qualified student loan” with respect to national service
23 education awards shall mean any loan determined by an
24 institution of higher education to be necessary to cover
25 a student’s cost of attendance at such institution and
26 made directly to a student by a State agency, in addition

1 to other meanings under section 148(b)(7) of the National
2 and Community Service Act.

3 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

4 SALARIES AND EXPENSES

5 For necessary expenses for the operation of the
6 United States Court of Appeals for Veterans Claims as
7 authorized by 38 U.S.C. 7251–7298, \$14,326,000 of
8 which \$1,045,000 shall be available for the purpose of pro-
9 viding financial assistance as described, and in accordance
10 with the process and reporting procedures set forth, under
11 this heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses, as authorized by law, for
16 maintenance, operation, and improvement of Arlington
17 National Cemetery and Soldiers’ and Airmen’s Home Na-
18 tional Cemetery, including the purchase of two passenger
19 motor vehicles for replacement only, and not to exceed
20 \$1,000 for official reception and representation expenses,
21 \$32,445,000, to remain available until expended.

1 DEPARTMENT OF HEALTH AND HUMAN SERVICES
2 NATIONAL INSTITUTES OF HEALTH
3 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
4 SCIENCES

5 For necessary expenses for the National Institute of
6 Environmental Health Sciences in carrying out activities
7 set forth in section 311(a) of the Comprehensive Environ-
8 mental Response, Compensation, and Liability Act of
9 1980, as amended, and section 126(g) of the Superfund
10 Amendments and Reauthorization Act of 1986,
11 \$84,074,000.

12 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
13 REGISTRY
14 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
15 HEALTH

16 For necessary expenses for the Agency for Toxic Sub-
17 stances and Disease Registry (ATSDR) in carrying out
18 activities set forth in sections 104(i), 111(c)(4), and
19 111(c)(14) of the Comprehensive Environmental Re-
20 sponse, Compensation, and Liability Act of 1980
21 (CERCLA), as amended; section 118(f) of the Superfund
22 Amendments and Reauthorization Act of 1986 (SARA),
23 as amended; and section 3019 of the Solid Waste Disposal
24 Act, as amended, \$88,688,000, to be derived from the
25 Hazardous Substance Superfund Trust Fund pursuant to

1 section 517(a) of SARA (26 U.S.C. 9507): *Provided*, That
2 notwithstanding any other provision of law, in lieu of per-
3 forming a health assessment under section 104(i)(6) of
4 CERCLA, the Administrator of ATSDR may conduct
5 other appropriate health studies, evaluations, or activities,
6 including, without limitation, biomedical testing, clinical
7 evaluations, medical monitoring, and referral to accredited
8 health care providers: *Provided further*, That in per-
9 forming any such health assessment or health study, eval-
10 uation, or activity, the Administrator of ATSDR shall not
11 be bound by the deadlines in section 104(i)(6)(A) of
12 CERCLA: *Provided further*, That none of the funds appro-
13 priated under this heading shall be available for ATSDR
14 to issue in excess of 40 toxicological profiles pursuant to
15 section 104(i) of CERCLA during fiscal year 2003, and
16 existing profiles may be updated as necessary.

17 ENVIRONMENTAL PROTECTION AGENCY

18 SCIENCE AND TECHNOLOGY

19 For science and technology, including research and
20 development activities, which shall include research and
21 development activities under the Comprehensive Environ-
22 mental Response, Compensation, and Liability Act of
23 1980, as amended; necessary expenses for personnel and
24 related costs and travel expenses, including uniforms, or
25 allowances therefor, as authorized by 5 U.S.C. 5901–

1 5902; services as authorized by 5 U.S.C. 3109, but at
2 rates for individuals not to exceed the per diem rate equiv-
3 alent to the maximum rate payable for senior level posi-
4 tions under 5 U.S.C. 5376; procurement of laboratory
5 equipment and supplies; other operating expenses in sup-
6 port of research and development; construction, alteration,
7 repair, rehabilitation, and renovation of facilities, not to
8 exceed \$75,000 per project, \$714,578,000, which shall re-
9 main available until September 30, 2004: *Provided*, That
10 the Office of Research and Development of the Environ-
11 mental Protection Agency may hereafter contract directly
12 with individuals or indirectly with institutions or nonprofit
13 organizations, without regard to 41 U.S.C. 5, for the tem-
14 porary or intermittent services of students or recent grad-
15 uates, who shall be considered employees for the purposes
16 of chapters 57 and 81 of title 5, United States Code, relat-
17 ing to tort claims, but shall not be considered to be Fed-
18 eral employees for any other purposes.

19 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

20 For environmental programs and management, in-
21 cluding necessary expenses, not otherwise provided for, for
22 personnel and related costs and travel expenses, including
23 uniforms, or allowances therefor, as authorized by 5
24 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
25 3109, but at rates for individuals not to exceed the per
26 diem rate equivalent to the maximum rate payable for sen-

ior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; and not to exceed \$19,000 for official reception and representation expenses, \$2,111,677,000, which shall remain available until September 30, 2004, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002: *Provided*, That notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall certify grant amendments for grant numbers C-340461-02 and C-340461-03.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$35,325,000, to remain available until September 30, 2004: *Provided*, That the Inspector General of the Environmental Protection Agency shall prepare and submit to the Committees

1 on Appropriations of the House of Representatives and the
2 Senate an audit management plan and the personnel re-
3 quirements which will enhance the expertise and maximize
4 the efficiencies of the Office of the Inspector General.

5 BUILDINGS AND FACILITIES

6 For construction, repair, improvement, extension, al-
7 teration, and purchase of fixed equipment or facilities of,
8 or for use by, the Environmental Protection Agency,
9 \$42,918,000, to remain available until expended.

10 HAZARDOUS SUBSTANCE SUPERFUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out the Comprehen-
13 sive Environmental Response, Compensation, and Liabil-
14 ity Act of 1980 (CERCLA), as amended, including sec-
15 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
16 9611), and for construction, alteration, repair, rehabilita-
17 tion, and renovation of facilities, not to exceed \$75,000
18 per project; \$1,422,888,000, to remain available until ex-
19 pended, consisting of \$711,444,000, as authorized by sec-
20 tion 517(a) of the Superfund Amendments and Reauthor-
21 ization Act of 1986 (SARA), as amended by Public Law
22 101–508, and \$711,444,000 as a payment from general
23 revenues to the Hazardous Substance Superfund for pur-
24 poses as authorized by section 517(b) of SARA, as amend-
25 ed: *Provided*, That funds appropriated under this heading
26 may be allocated to other Federal agencies in accordance

1 with section 111(a) of CERCLA: *Provided further*, That
2 of the funds appropriated under this heading,
3 \$12,742,000 shall be transferred to the “Office of Inspec-
4 tor General” appropriation to remain available until Sep-
5 tember 30, 2004, and \$86,168,000 shall be transferred
6 to the “Science and technology” appropriation to remain
7 available until September 30, 2004.

8 LEAKING UNDERGROUND STORAGE TANK PROGRAM

9 For necessary expenses to carry out leaking under-
10 ground storage tank cleanup activities authorized by sec-
11 tion 205 of the Superfund Amendments and Reauthoriza-
12 tion Act of 1986, and for construction, alteration, repair,
13 rehabilitation, and renovation of facilities, not to exceed
14 \$75,000 per project, \$72,313,000, to remain available
15 until expended.

16 OIL SPILL RESPONSE

17 For expenses necessary to carry out the Environ-
18 mental Protection Agency’s responsibilities under the Oil
19 Pollution Act of 1990, \$15,581,000, to be derived from
20 the Oil Spill Liability trust fund, to remain available until
21 expended.

22 STATE AND TRIBAL ASSISTANCE GRANTS

23 For environmental programs and infrastructure as-
24 sistance, including capitalization grants for State revolv-
25 ing funds and performance partnership grants,
26 \$3,789,185,000, to remain available until expended, of

1 which \$1,300,000,000 shall be for making capitalization
2 grants for the Clean Water State Revolving Funds under
3 title VI of the Federal Water Pollution Control Act, as
4 amended (the “Act”), of which \$75,000,000 shall only be
5 available for interest free loans as authorized by 33 U.S.C.
6 1383 (d)(1)(A) to municipal, inter-municipal, interstate,
7 or State agencies or nonprofit entities for projects that
8 provide treatment for or that minimize sewage or
9 stormwater discharges using one or more approaches
10 which include, but are not limited to, decentralized or dis-
11 tributed stormwater controls, decentralized wastewater
12 treatment, low-impact development practices, conservation
13 easements, stream buffers, or wetlands restoration;
14 \$850,000,000 shall be for capitalization grants for the
15 Drinking Water State Revolving Funds under section
16 1452 of the Safe Drinking Water Act, as amended, except
17 that, notwithstanding section 1452(n) of the Safe Drink-
18 ing Water Act, as amended, none of the funds made avail-
19 able under this heading in this Act, or in previous appro-
20 priations Acts, shall be reserved by the Administrator for
21 health effects studies on drinking water contaminants;
22 \$75,000,000 shall be for architectural, engineering, plan-
23 ning, design, construction and related activities in connec-
24 tion with the construction of high priority water and
25 wastewater facilities in the area of the United States-Mex-

1 ico Border, after consultation with the appropriate border
2 commission; \$35,000,000 shall be for grants to the State
3 of Alaska to address drinking water and wastewater infra-
4 structure needs of rural and Alaska Native Villages;
5 \$227,578,000 shall be for making grants for the construc-
6 tion of drinking water, wastewater and storm water infra-
7 structure and for water quality protection in accordance
8 with the terms and conditions specified for such grants
9 in the report accompanying this Act; \$8,225,000 for
10 grants for construction of alternative decentralized waste-
11 water facilities under the National Decentralized Waste-
12 water Demonstration program, in accordance with the
13 terms and conditions specified in the report accompanying
14 this legislation; \$120,500,000 shall be to carry out section
15 104(k) of the Comprehensive Environmental Response,
16 Compensation, and Liability Act of 1980 (CERCLA), as
17 amended, including grants, interagency agreements, and
18 associated program support costs; and \$1,172,882,000
19 shall be for grants, including associated program support
20 costs, to States, federally recognized tribes, interstate
21 agencies, tribal consortia, and air pollution control agen-
22 cies for multi-media or single media pollution prevention,
23 control and abatement and related activities, including ac-
24 tivities pursuant to the provisions set forth under this
25 heading in Public Law 104–134, and for making grants

1 under section 103 of the Clean Air Act for particulate
2 matter monitoring and data collection activities subject to
3 terms and conditions specified by the Administrator, of
4 which \$50,000,000 shall be for carrying out section 128
5 of CERCLA, as amended, and \$24,999,900 shall be for
6 Environmental Information Exchange Network grants, in-
7 cluding associated program support costs: *Provided*, That
8 for fiscal year 2003, State authority under section 302(a)
9 of Public Law 104–182 shall remain in effect: *Provided*
10 *further*, That notwithstanding section 603(d)(7) of the
11 Act, the limitation on the amounts in a State water pollu-
12 tion control revolving fund that may be used by a State
13 to administer the fund shall not apply to amounts included
14 as principal in loans made by such fund in fiscal year 2003
15 and prior years where such amounts represent costs of ad-
16 ministering the fund to the extent that such amounts are
17 or were deemed reasonable by the Administrator, ac-
18 counted for separately from other assets in the fund, and
19 used for eligible purposes of the fund, including adminis-
20 tration: *Provided further*, That for fiscal year 2003, and
21 notwithstanding section 518(f) of the Act, the Adminis-
22 trator is authorized to use the amounts appropriated for
23 any fiscal year under section 319 of that Act to make
24 grants to Indian tribes pursuant to sections 319(h) and
25 518(e) of that Act: *Provided further*, That for fiscal year

1 2003, notwithstanding the limitation on amounts in sec-
2 tion 518(c) of the Act, up to a total of 1½ percent of
3 the funds appropriated for State Revolving Funds under
4 title VI of that Act may be reserved by the Administrator
5 for grants under section 518(c) of such Act: *Provided fur-*
6 *ther*, That no funds provided by this legislation to address
7 the water, wastewater and other critical infrastructure
8 needs of the colonias in the United States along the
9 United States-Mexico border shall be made available to a
10 county or municipal government unless that government
11 has established an enforceable local ordinance, or other
12 zoning rule, which prevents in that jurisdiction the devel-
13 opment or construction of any additional colonia areas, or
14 the development within an existing colonia the construc-
15 tion of any new home, business, or other structure which
16 lacks water, wastewater, or other necessary infrastructure:
17 *Provided further*, That the referenced statements of the
18 managers under this heading in Public Laws 105–276,
19 106–74, and 106–377 are deemed to be amended by strik-
20 ing everything after “Creek” in reference to item numbers
21 27, 38, and 59, respectively, and inserting, “and the
22 Upper Ocmulgee River Watersheds, Georgia”: *Provided*
23 *further*, That the referenced statement of the managers
24 under this heading in Public Law 107–73 is deemed to
25 be amended by striking the word “wastewater” in ref-

1 erence to item number 205 and inserting the word
2 “water”.

3 ADMINISTRATIVE PROVISIONS

4 For fiscal year 2003, notwithstanding 31 U.S.C.
5 6303(1) and 6305(1), the Administrator of the Environ-
6 mental Protection Agency, in carrying out the Agency’s
7 function to implement directly Federal environmental pro-
8 grams required or authorized by law in the absence of an
9 acceptable tribal program, may award cooperative agree-
10 ments to federally-recognized Indian Tribes or Intertribal
11 consortia, if authorized by their member Tribes, to assist
12 the Administrator in implementing Federal environmental
13 programs for Indian Tribes required or authorized by law,
14 except that no such cooperative agreements may be award-
15 ed from funds designated for State financial assistance
16 agreements.

17 Section 136a–1 of title 7, U.S.C. is amended—

18 (1) in subsection (i)(5)(C)(i) by striking
19 “\$17,000,000” and inserting “\$20,000,000”; and,
20 by striking “each” and inserting “2003” after “fis-
21 cal year”;

22 (2) in subsection (i)(5)(H) by striking “2002”
23 and inserting “2003”;

24 (3) in subsection (i)(6) by striking “2002” and
25 inserting “2003”; and

1 (4) in subsection (k)(3)(A) by striking “2002”
2 and inserting “2003”; and, by striking “ $\frac{1}{7}$ ” and in-
3 serting “ $\frac{1}{10}$ ”.

4 None of the funds appropriated or otherwise made
5 available by this Act shall be used to promulgate a final
6 regulation to implement changes in the payment of pes-
7 ticide tolerance processing fees as proposed at 64 Fed.
8 Reg. 31040, or any similar proposals. The Environmental
9 Protection Agency may proceed with the development of
10 such a rule.

11 The Environmental Protection Agency may not use
12 any of the funds appropriated or otherwise made available
13 by this Act to implement the Registration Fee system
14 codified at 40 Code of Federal Regulations Subpart U
15 (sections 152.400 et seq.) if its authority to collect mainte-
16 nance fees pursuant to FIFRA section 4(i)(5) is extended
17 for at least 1 year beyond September 30, 2002.

18 EXECUTIVE OFFICE OF THE PRESIDENT

19 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

20 For necessary expenses of the Office of Science and
21 Technology Policy, in carrying out the purposes of the Na-
22 tional Science and Technology Policy, Organization, and
23 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
24 of passenger motor vehicles, and services as authorized by
25 5 U.S.C. 3109, not to exceed \$2,500 for official reception

1 and representation expenses, and rental of conference
2 rooms in the District of Columbia, \$5,750,000.

3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
4 ENVIRONMENTAL QUALITY

5 For necessary expenses to continue functions as-
6 signed to the Council on Environmental Quality and Office
7 of Environmental Quality pursuant to the National Envi-
8 ronmental Policy Act of 1969, the Environmental Quality
9 Improvement Act of 1970, and Reorganization Plan No.
10 1 of 1977, and not to exceed \$750 for official reception
11 and representation expenses, \$3,031,000: *Provided*, That
12 notwithstanding section 202 of the National Environ-
13 mental Policy Act of 1970, the Council shall consist of
14 one member, appointed by the President, by and with the
15 advice and consent of the Senate, serving as chairman and
16 exercising all powers, functions, and duties of the Council.

17 FEDERAL DEPOSIT INSURANCE CORPORATION
18 OFFICE OF INSPECTOR GENERAL
19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, as amended, \$30,848,000, to be de-
23 rived from the Bank Insurance Fund, the Savings Asso-
24 ciation Insurance Fund, and the FSLIC Resolution Fund.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY
2 DISASTER RELIEF
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses in carrying out the Robert
5 T. Stafford Disaster Relief and Emergency Assistance Act
6 (42 U.S.C. 5121 et seq.), \$1,820,000,000, and, notwith-
7 standing 42 U.S.C. 5203, to remain available until ex-
8 pended, of which not to exceed \$2,900,000 may be trans-
9 ferred to “Emergency management planning and assist-
10 ance” for the consolidated emergency management per-
11 formance grant program; and not to exceed \$21,577,000
12 may be transferred to the Office of Inspector General for
13 audits and investigations: *Provided*, That notwithstanding
14 any other provision of law, for disaster declaration
15 FEMA–1379–DR and hereafter, the Texas Medical Cen-
16 ter is to be considered for FEMA Public Assistance and
17 Hazard Mitigation grants as if it were an eligible appli-
18 cant.

19 NATIONAL PRE-DISASTER MITIGATION FUND

20 For a pre-disaster mitigation grant program pursu-
21 ant to 42 U.S.C. 5131 et seq., \$250,000,000, to remain
22 available until expended: *Provided*, That grants shall be
23 awarded on a competitive basis subject to the criteria in
24 42 U.S.C. 5133(g): *Provided further*, That notwith-
25 standing 42 U.S.C. 5133(f), grant awards shall be made

1 without reference to State allocations, quotas, or other for-
2 mula-based allocations of funds.

3 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

4 For direct loans, as authorized by section 319 of the
5 Robert T. Stafford Disaster Relief and Emergency Assist-
6 ance Act: *Provided*, That the cost of modifying such loans,
7 shall be as defined in section 502 of the Congressional
8 Budget Act of 1974, as amended: *Provided further*, That
9 these funds are available to subsidize gross obligations for
10 the principal amount of direct loans not to exceed
11 \$25,000,000.

12 In addition, for administrative expenses to carry out
13 the direct loan program, \$557,000.

14 SALARIES AND EXPENSES

15 For necessary expenses, not otherwise provided for,
16 including hire and purchase of motor vehicles as author-
17 ized by 31 U.S.C. 1343; uniforms, or allowances therefor,
18 as authorized by 5 U.S.C. 5901–5902; services as author-
19 ized by 5 U.S.C. 3109, but at rates for individuals not
20 to exceed the per diem rate equivalent to the maximum
21 rate payable for senior level positions under 5 U.S.C.
22 5376; expenses of attendance of cooperating officials and
23 individuals at meetings concerned with the work of emer-
24 gency preparedness; transportation in connection with the
25 continuity of Government programs to the same extent
26 and in the same manner as permitted the Secretary of

1 a Military Department under 10 U.S.C. 2632; and not to
2 exceed \$2,500 for official reception and representation ex-
3 penses, \$250,690,000.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the Inspector General Act of 1978,
7 as amended, \$11,549,000: *Provided*, That notwith-
8 standing any other provision of law, the Inspector General
9 of the Federal Emergency Management Agency shall here-
10 after also serve as the Inspector General of the Chemical
11 Safety and Hazard Investigation Board.

12 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

13 For necessary expenses, not otherwise provided for,
14 to carry out activities under the National Flood Insurance
15 Act of 1968, as amended, and the Flood Disaster Protec-
16 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
17 the Robert T. Stafford Disaster Relief and Emergency As-
18 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
19 Hazards Reduction Act of 1977, as amended (42 U.S.C.
20 7701 et seq.), the Federal Fire Prevention and Control
21 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
22 Defense Production Act of 1950, as amended (50 U.S.C.
23 App. 2061 et seq.), sections 107 and 303 of the National
24 Security Act of 1947, as amended (50 U.S.C. 404–405),
25 and Reorganization Plan No. 3 of 1978, \$367,040,000.

1 FIREFIGHTER ASSISTANCE GRANTS

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses, not otherwise provided for,
4 for programs as authorized by section 33 of the Federal
5 Fire Prevention and Control Act of 1974, as amended (15
6 U.S.C. 2201 et seq.), \$450,000,000 to remain available
7 through September 30, 2004: *Provided*, That up to 5 per-
8 cent of this amount shall be transferred to “Salaries and
9 expenses” for program administration.

10 RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

11 The aggregate charges assessed during fiscal year
12 2003, as authorized by Public Law 106–377, shall not be
13 less than 100 percent of the amounts anticipated by
14 FEMA necessary for its radiological emergency prepared-
15 ness program for the next fiscal year. The methodology
16 for assessment and collection of fees shall be fair and equi-
17 table; and shall reflect costs of providing such services,
18 including administrative costs of collecting such fees. Fees
19 received pursuant to this section shall be deposited in the
20 Fund as offsetting collections and will become available
21 for authorized purposes on October 1, 2003, and remain
22 available until expended.

23 EMERGENCY FOOD AND SHELTER PROGRAM

24 To carry out an emergency food and shelter program
25 pursuant to title III of Public Law 100–77, as amended,
26 \$153,000,000, to remain available until expended: *Pro-*

1 *vided*, That total administrative costs shall not exceed 3½
2 percent of the total appropriation.

3 FLOOD MAP MODERNIZATION FUND

4 For necessary expenses pursuant to section 1360 of
5 the National Flood Insurance Act of 1968, \$200,000,000,
6 and such additional sums as may be provided by State
7 and local governments or other political subdivisions for
8 cost-shared mapping activities under section 1360(f)(2),
9 to remain available until expended.

10 NATIONAL FLOOD INSURANCE FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For activities under the National Flood Insurance
13 Act of 1968 (“Act”) and the Flood Disaster Protection
14 Act of 1973, as amended, not to exceed \$32,393,000 for
15 salaries and expenses associated with flood mitigation and
16 flood insurance operations, and not to exceed \$77,666,000
17 for flood mitigation, to remain available until September
18 30, 2004, including up to \$20,000,000 for expenses under
19 section 1366 of the Act, which amount shall be available
20 for transfer to the National Flood Mitigation Fund until
21 September 30, 2004, and which amounts shall be derived
22 from offsetting collections assessed and collected pursuant
23 to 42 U.S.C. 4014, and shall be retained and used for
24 necessary expenses under this heading: *Provided*, That be-
25 ginning in fiscal year 2003 and thereafter, fees authorized
26 in 42 U.S.C. 4014(a)(1)(B)(iii) shall be collected only if

1 provided in advance in appropriations acts. In fiscal year
2 2003, no funds in excess of: (1) \$55,000,000 for operating
3 expenses; (2) \$529,380,000 for agents' commissions and
4 taxes; and (3) \$40,000,000 for interest on Treasury bor-
5 rowings shall be available from the National Flood Insur-
6 ance Fund without prior notice to the Committees on Ap-
7 propriations.

8 Section 1309(a)(2) of the Act (42 U.S.C.
9 4016(a)(2)), as amended, is further amended by striking
10 "2002" and inserting "2004".

11 Section 1319 of the Act, as amended (42 U.S.C.
12 4026), is amended by striking "December 31, 2002" and
13 inserting "December 31, 2004".

14 Section 1336(a) of the Act, as amended (42 U.S.C.
15 4056), is amended by striking "December 31, 2002" and
16 inserting "December 31, 2004".

17 Section 1376(c) of the Act, as amended (42 U.S.C.
18 4127(c)), is amended by striking "December 31, 2002"
19 and inserting "December 31, 2004".

20 NATIONAL FLOOD MITIGATION FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 Notwithstanding sections 1366(b)(3)(B)–(C) and
23 1366(f) of the National Flood Insurance Act of 1968, as
24 amended, \$20,000,000, to remain available until Sep-
25 tember 30, 2004, for activities designed to reduce the risk
26 of flood damage to structures pursuant to such Act, of

1 which \$20,000,000 shall be derived from the National
2 Flood Insurance Fund.

3 ADMINISTRATIVE PROVISION

4 FEMA is hereby directed to recognize that a hospital
5 building has met the “immediate occupancy” requirements
6 of the Seismic Hazard Mitigation Program for Hospitals
7 (SHMPH) if such building is approved by California’s Of-
8 fice of Statewide Health Planning and Development
9 (OSHPD) for occupancy until 2030 or beyond under the
10 Alfred E. Alquist Hospital Facilities Seismic Safety Act
11 of 1983 now in effect.

12 Notwithstanding any other provision of law, funds
13 appropriated to the Federal Emergency Management
14 Agency for disaster relief for the terrorist attacks of Sep-
15 tember 11, 2001, in Public Law 107–117 shall be used
16 to provide funds to the City of New York and State of
17 New York for costs unreimbursable under the Stafford
18 Act: *Provided*, That this assistance shall not exceed
19 \$650,000,000 for the City of New York and \$330,000,000
20 for the State of New York.

21 GENERAL SERVICES ADMINISTRATION

22 FEDERAL CITIZEN INFORMATION CENTER FUND

23 For necessary expenses of the Federal Consumer In-
24 formation Center, including services authorized by 5
25 U.S.C. 3109, \$11,541,000, to be deposited into the Fed-
26 eral Consumer Information Center Fund: *Provided*, That

1 the appropriations, revenues, and collections deposited
2 into the Fund shall be available for necessary expenses
3 of Federal Consumer Information Center activities in the
4 aggregate amount of \$18,000,000. Appropriations, reve-
5 nues, and collections accruing to this Fund during fiscal
6 year 2003 in excess of \$18,000,000 shall remain in the
7 Fund and shall not be available for expenditure except as
8 authorized in appropriations Acts.

9 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

10 HUMAN SPACE FLIGHT

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses, not otherwise provided for,
13 in the conduct and support of human space flight research
14 and development activities, including research, develop-
15 ment, operations, support and services; maintenance; con-
16 struction of facilities including repair, rehabilitation, revi-
17 talization and modification of facilities, construction of
18 new facilities and additions to existing facilities, facility
19 planning and design, environmental compliance and res-
20 toration, and acquisition or condemnation of real property,
21 as authorized by law; space flight, spacecraft control and
22 communications activities including operations, produc-
23 tion, and services; program management; personnel and
24 related costs, including uniforms or allowances therefor,
25 as authorized by 5 U.S.C. 5901–5902; travel expenses;
26 purchase and hire of passenger motor vehicles; not to ex-

1 ceed \$24,000 for official reception and representation ex-
2 penses; and purchase, lease, charter, maintenance and op-
3 eration of mission and administrative aircraft,
4 \$6,130,900,000, to remain available until September 30,
5 2004, of which amounts as determined by the Adminis-
6 trator for salaries and benefits; training, travel and
7 awards; facility and related costs; information technology
8 services; science, engineering, fabricating and testing serv-
9 ices; and other administrative services may be transferred
10 to “Science, aeronautics and technology” in accordance
11 with section 312(b) of the National Aeronautics and Space
12 Act of 1958, as amended by Public Law 106–377.

13 SCIENCE, AERONAUTICS AND TECHNOLOGY

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses, not otherwise provided for,
16 in the conduct and support of science, aeronautics and
17 technology research and development activities, including
18 research, development, operations, support and services;
19 maintenance; construction of facilities including repair, re-
20 habilitation, revitalization, and modification of facilities,
21 construction of new facilities and additions to existing fa-
22 cilities, facility planning and design, environmental com-
23 pliance and restoration, and acquisition or condemnation
24 of real property, as authorized by law; space flight, space-
25 craft control and communications activities including oper-
26 ations, production, and services; program management;

1 personnel and related costs, including uniforms or allow-
2 ances therefor, as authorized by 5 U.S.C. 5901–5902;
3 travel expenses; purchase and hire of passenger motor ve-
4 hicles; not to exceed \$24,000 for official reception and rep-
5 resentation expenses; and purchase, lease, charter, mainte-
6 nance and operation of mission and administrative air-
7 craft, \$9,144,500,000 to remain available until September
8 30, 2004, of which amounts as determined by the Admin-
9 istrator for salaries and benefits; training, travel and
10 awards; facility and related costs; information technology
11 services; science, engineering, fabricating and testing serv-
12 ices; and other administrative services may be transferred
13 to “Human space flight” in accordance with section
14 312(b) of the National Aeronautics and Space Act of
15 1958, as amended by Public Law 106–377.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the Inspector General Act of 1978,
19 as amended, \$24,600,000.

20 ADMINISTRATIVE PROVISIONS

21 Notwithstanding the limitation on the availability of
22 funds appropriated for “Human space flight”, or
23 “Science, aeronautics and technology” by this appropria-
24 tions Act, when any activity has been initiated by the in-
25 currence of obligations for construction of facilities as au-
26 thorized by law, such amount available for such activity

1 shall remain available until expended. This provision does
2 not apply to the amounts appropriated for institutional
3 minor revitalization and construction of facilities, and in-
4 stitutional facility planning and design.

5 Notwithstanding the limitation on the availability of
6 funds appropriated for “Human space flight”, or
7 “Science, aeronautics and technology” by this appropria-
8 tions Act, the amounts appropriated for construction of
9 facilities shall remain available until September 30, 2005.

10 Notwithstanding the limitation on the availability of
11 funds appropriated for “Office of Inspector General”,
12 amounts made available by this Act for personnel and re-
13 lated costs and travel expenses of the National Aero-
14 nautics and Space Administration shall remain available
15 until September 30, 2003 and may be used to enter into
16 contracts for training, investigations, costs associated with
17 personnel relocation, and for other services, to be provided
18 during the next fiscal year. Funds for announced prizes
19 otherwise authorized shall remain available, without fiscal
20 year limitation, until the prize is claimed or the offer is
21 withdrawn.

22 No funds in this Act or any other appropriations Act
23 may be used to finalize an agreement prior to December
24 1, 2003 between NASA and a nongovernment organiza-

1 tion to conduct research utilization and commercialization
 2 management activities of the International Space Station.

3 NATIONAL CREDIT UNION ADMINISTRATION

4 CENTRAL LIQUIDITY FACILITY

5 During fiscal year 2003, gross obligations of the Cen-
 6 tral Liquidity Facility for the principal amount of new di-
 7 rect loans to member credit unions, as authorized by 12
 8 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*
 9 *vided*, That administrative expenses of the Central Liquid-
 10 ity Facility in fiscal year 2003 shall not exceed \$309,000.

11 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

12 For the Community Development Revolving Loan
 13 Fund program as authorized by 42 U.S.C. 9812, 9822
 14 and 9910, \$1,000,000 shall be available: *Provided*, That
 15 of this amount \$700,000, together with amounts of prin-
 16 cipal and interest on loans repaid, is available until ex-
 17 pended for loans to community development credit unions,
 18 and \$300,000 is available until September 30, 2004 for
 19 technical assistance to low-income and community devel-
 20 opment credit unions.

21 NATIONAL SCIENCE FOUNDATION

22 RESEARCH AND RELATED ACTIVITIES

23 For necessary expenses in carrying out the National
 24 Science Foundation Act of 1950, as amended (42 U.S.C.
 25 1861–1875), and the Act to establish a National Medal
 26 of Science (42 U.S.C. 1880–1881); services as authorized

1 by 5 U.S.C. 3109; maintenance and operation of aircraft
2 and purchase of flight services for research support; acqui-
3 sition of aircraft; and authorized travel; \$4,150,000,000,
4 of which not to exceed \$325,000,000 shall remain avail-
5 able until expended for Polar research and operations sup-
6 port, and for reimbursement to other Federal agencies for
7 operational and science support and logistical and other
8 related activities for the United States Antarctic program;
9 the balance to remain available until September 30, 2004:
10 *Provided*, That receipts for scientific support services and
11 materials furnished by the National Research Centers and
12 other National Science Foundation supported research fa-
13 cilities may be credited to this appropriation: *Provided fur-*
14 *ther*, That to the extent that the amount appropriated is
15 less than the total amount authorized to be appropriated
16 for included program activities, all amounts, including
17 floors and ceilings, specified in the authorizing Act for
18 those program activities or their subactivities shall be re-
19 duced proportionally.

20 MAJOR RESEARCH EQUIPMENT AND FACILITIES

21 CONSTRUCTION

22 For necessary expenses for the acquisition, construc-
23 tion, commissioning, and upgrading of major research
24 equipment, facilities, and other such capital assets pursu-
25 ant to the National Science Foundation Act of 1950, as

1 amended, including authorized travel, \$159,510,000, to
2 remain available until expended.

3 EDUCATION AND HUMAN RESOURCES

4 For necessary expenses in carrying out science and
5 engineering education and human resources programs and
6 activities pursuant to the National Science Foundation
7 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
8 ing services as authorized by 5 U.S.C. 3109, authorized
9 travel, and rental of conference rooms in the District of
10 Columbia, \$910,580,000, to remain available until Sep-
11 tember 30, 2004: *Provided*, That to the extent that the
12 amount of this appropriation is less than the total amount
13 authorized to be appropriated for included program activi-
14 ties, all amounts, including floors and ceilings, specified
15 in the authorizing Act for those program activities or their
16 subactivities shall be reduced proportionally.

17 SALARIES AND EXPENSES

18 For salaries and expenses necessary in carrying out
19 the National Science Foundation Act of 1950, as amended
20 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
21 3109; hire of passenger motor vehicles; not to exceed
22 \$9,000 for official reception and representation expenses;
23 uniforms or allowances therefor, as authorized by 5 U.S.C.
24 5901–5902; rental of conference rooms in the District of
25 Columbia; and reimbursement of the General Services Ad-
26 ministration for security guard services; \$193,852,000:

1 *Provided*, That contracts may be entered into under “Sal-
2 aries and expenses” in fiscal year 2003 for maintenance
3 and operation of facilities, and for other services, to be
4 provided during the next fiscal year.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General as authorized by the Inspector General Act of
8 1978, as amended, \$9,000,000, to remain available until
9 September 30, 2004.

10 NEIGHBORHOOD REINVESTMENT CORPORATION

11 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
12 CORPORATION

13 For payment to the Neighborhood Reinvestment Cor-
14 poration for use in neighborhood reinvestment activities,
15 as authorized by the Neighborhood Reinvestment Corpora-
16 tion Act (42 U.S.C. 8101–8107), \$105,000,000, of which
17 \$10,000,000 shall be for a homeownership program that
18 is used in conjunction with section 8 assistance under the
19 United States Housing Act of 1937, as amended.

20 SELECTIVE SERVICE SYSTEM

21 SALARIES AND EXPENSES

22 For necessary expenses of the Selective Service Sys-
23 tem, including expenses of attendance at meetings and of
24 training for uniformed personnel assigned to the Selective
25 Service System, as authorized by 5 U.S.C. 4101–4118 for
26 civilian employees; purchase of uniforms, or allowances

1 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
2 passenger motor vehicles; services as authorized by 5
3 U.S.C. 3109; and not to exceed \$750 for official reception
4 and representation expenses; \$26,480,000: *Provided*, That
5 during the current fiscal year, the President may exempt
6 this appropriation from the provisions of 31 U.S.C. 1341,
7 whenever the President deems such action to be necessary
8 in the interest of national defense: *Provided further*, That
9 none of the funds appropriated by this Act may be ex-
10 pended for or in connection with the induction of any per-
11 son into the Armed Forces of the United States.

12 TITLE IV—GENERAL PROVISIONS

13 SEC. 401. No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 SEC. 402. No funds appropriated by this Act may be
17 expended—

18 (1) pursuant to a certification of an officer or
19 employee of the United States unless—

20 (A) such certification is accompanied by,
21 or is part of, a voucher or abstract which de-
22 scribes the payee or payees and the items or
23 services for which such expenditure is being
24 made; or

1 (B) the expenditure of funds pursuant to
2 such certification, and without such a voucher
3 or abstract, is specifically authorized by law;
4 and

5 (2) unless such expenditure is subject to audit
6 by the General Accounting Office or is specifically
7 exempt by law from such audit.

8 SEC. 403. None of the funds provided in this Act to
9 any department or agency may be obligated or expended
10 for: (1) the transportation of any officer or employee of
11 such department or agency between the domicile and the
12 place of employment of the officer or employee, with the
13 exception of an officer or employee authorized such trans-
14 portation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2)
15 to provide a cook, chauffeur, or other personal servants
16 to any officer or employee of such department or agency.

17 SEC. 404. None of the funds provided in this Act may
18 be used for payment, through grants or contracts, to re-
19 cipients that do not share in the cost of conducting re-
20 search resulting from proposals not specifically solicited
21 by the Government: *Provided*, That the extent of cost
22 sharing by the recipient shall reflect the mutuality of in-
23 terest of the grantee or contractor and the Government
24 in the research.

1 SEC. 405. None of the funds provided in this Act may
2 be used, directly or through grants, to pay or to provide
3 reimbursement for payment of the salary of a consultant
4 (whether retained by the Federal Government or a grant-
5 ee) at more than the daily equivalent of the rate paid for
6 level IV of the Executive Schedule, unless specifically au-
7 thorized by law.

8 SEC. 406. None of the funds provided in this Act may
9 be used to pay the expenses of, or otherwise compensate,
10 non-Federal parties intervening in regulatory or adjudica-
11 tory proceedings. Nothing herein affects the authority of
12 the Consumer Product Safety Commission pursuant to
13 section 7 of the Consumer Product Safety Act (15 U.S.C.
14 2056 et seq.).

15 SEC. 407. Except as otherwise provided under exist-
16 ing law, or under an existing Executive Order issued pur-
17 suant to an existing law, the obligation or expenditure of
18 any appropriation under this Act for contracts for any
19 consulting service shall be limited to contracts which are:
20 (1) a matter of public record and available for public in-
21 spection; and (2) thereafter included in a publicly available
22 list of all contracts entered into within 24 months prior
23 to the date on which the list is made available to the public
24 and of all contracts on which performance has not been
25 completed by such date. The list required by the preceding

1 sentence shall be updated quarterly and shall include a
2 narrative description of the work to be performed under
3 each such contract.

4 SEC. 408. Except as otherwise provided by law, no
5 part of any appropriation contained in this Act shall be
6 obligated or expended by any executive agency, as referred
7 to in the Office of Federal Procurement Policy Act (41
8 U.S.C. 401 et seq.), for a contract for services unless such
9 executive agency: (1) has awarded and entered into such
10 contract in full compliance with such Act and the regula-
11 tions promulgated thereunder; and (2) requires any report
12 prepared pursuant to such contract, including plans, eval-
13 uations, studies, analyses and manuals, and any report
14 prepared by the agency which is substantially derived from
15 or substantially includes any report prepared pursuant to
16 such contract, to contain information concerning: (A) the
17 contract pursuant to which the report was prepared; and
18 (B) the contractor who prepared the report pursuant to
19 such contract.

20 SEC. 409. (a) It is the sense of the Congress that,
21 to the greatest extent practicable, all equipment and prod-
22 ucts purchased with funds made available in this Act
23 should be American-made.

24 (b) In providing financial assistance to, or entering
25 into any contract with, any entity using funds made avail-

1 able in this Act, the head of each Federal agency, to the
2 greatest extent practicable, shall provide to such entity a
3 notice describing the statement made in subsection (a) by
4 the Congress.

5 SEC. 410. None of the funds appropriated in this Act
6 may be used to implement any cap on reimbursements to
7 grantees for indirect costs, except as published in Office
8 of Management and Budget Circular A-21.

9 SEC. 411. Such sums as may be necessary for fiscal
10 year 2003 pay raises for programs funded by this Act shall
11 be absorbed within the levels appropriated in this Act.

12 SEC. 412. None of the funds made available in this
13 Act may be used for any program, project, or activity,
14 when it is made known to the Federal entity or official
15 to which the funds are made available that the program,
16 project, or activity is not in compliance with any Federal
17 law relating to risk assessment, the protection of private
18 property rights, or unfunded mandates.

19 SEC. 413. Except in the case of entities that are
20 funded solely with Federal funds or any natural persons
21 that are funded under this Act, none of the funds in this
22 Act shall be used for the planning or execution of any pro-
23 gram to pay the expenses of, or otherwise compensate,
24 non-Federal parties to lobby or litigate in respect to adju-
25 dicatory proceedings funded in this Act. A chief executive

1 officer of any entity receiving funds under this Act shall
2 certify that none of these funds have been used to engage
3 in the lobbying of the Federal Government or in litigation
4 against the United States unless authorized under existing
5 law.

6 SEC. 414. No part of any funds appropriated in this
7 Act shall be used by an agency of the executive branch,
8 other than for normal and recognized executive-legislative
9 relationships, for publicity or propaganda purposes, and
10 for the preparation, distribution or use of any kit, pam-
11 phlet, booklet, publication, radio, television or film presen-
12 tation designed to support or defeat legislation pending
13 before the Congress, except in presentation to the Con-
14 gress itself.

15 SEC. 415. All Departments and agencies funded
16 under this Act are encouraged, within the limits of the
17 existing statutory authorities and funding, to expand their
18 use of “E-Commerce” technologies and procedures in the
19 conduct of their business practices and public service ac-
20 tivities.

21 SEC. 416. None of the funds made available in this
22 Act may be transferred to any department, agency, or in-
23 strumentality of the United States Government that is es-
24 tablished after the date of the enactment of this Act, ex-

1 cept pursuant to a transfer made by, or transfer authority
2 provided in, this Act or any other appropriation Act.

3 SEC. 417. Section 404(a) of the Robert T. Stafford
4 Disaster Relief and Emergency Assistance Act (42 U.S.C.
5 5170c) is amended by striking “15 percent” and inserting
6 “7.5 percent”.

7 SEC. 418. (a) The Consumer Product Safety Act (15
8 U.S.C. 2051 et seq.) is amended by adding at the end
9 the following:

10 “LOW-SPEED ELECTRIC PERSONAL ASSISTIVE MOBILITY
11 DEVICES

12 “SEC. 38. (a) Notwithstanding any other provision
13 of the law, low-speed electric personal assistive mobility
14 devices, other than those excluded by 15 U.S.C.
15 2052(a)(1)(A), are consumer products within the meaning
16 of section 3(a)(1) of this Act.

17 “(b) For the purpose of this section, the term ‘low-
18 speed electric personal assistive mobility device’ means a
19 self-balancing two nontandem wheeled device with an elec-
20 tric propulsion system whose maximum speed on a paved
21 level surface, when powered solely by such a propulsion
22 system while ridden by an operator who weighs 170
23 pounds, is less than 20 mph: *Provided, however,* That this
24 term shall exclude devices that are subject to jurisdiction
25 of the Food and Drug Administration pursuant to section
26 321 (h) of title 21, United States Code.

1 “(c) To further protect the safety of consumers who
 2 ride low-speed electric personal assistive mobility devices,
 3 the Commission may promulgate new or amended require-
 4 ments applicable to such devices as necessary and appro-
 5 priate.”.

6 (b) The table of contents in section 1 of such Act
 7 is amended by adding at the end the following:

“Sec. 38. Low-speed electric personal assistive mobility devices.”.

8 SEC. 419. The National Aeronautics and Space Act
 9 of 1958, as amended (42 U.S.C. 2451, et seq.), is amend-
 10 ed by adding at the end of title III the following new sec-
 11 tion 314:

12 “WORKING CAPITAL FUND

13 “SEC. 314. There is hereby established in the United
 14 States Treasury a National Aeronautics and Space Ad-
 15 ministration working capital fund. Amounts in the fund
 16 are available for financing activities, services, equipment,
 17 information, and facilities as authorized by law to be pro-
 18 vided within the Administration; to other agencies or in-
 19 strumentalities of the United States; to any State, Terri-
 20 tory, or possession or political subdivision thereof; to other
 21 public or private agencies; or to any person, firm, associa-
 22 tion, corporation, or educational institution on a reimburs-
 23 able basis. The fund shall also be available for the purpose
 24 of funding capital repairs, renovations, rehabilitation,
 25 sustainment, demolition, or replacement of NASA real

1 property, on a reimbursable basis within the Administra-
2 tion. Amounts in the fund are available without regard
3 to fiscal year limitation. The capital of the fund consists
4 of amounts appropriated to the fund; the reasonable value
5 of stocks of supplies, equipment, and other assets and in-
6 ventories on order that the Administrator transfers to the
7 fund, less the related liabilities and unpaid obligations;
8 amounts received from the sale of exchange of property;
9 and payments received for loss or damage to property of
10 the fund. The fund shall be reimbursed, in advance, for
11 supplies and services at rates that will approximate the
12 expenses of operation, such as the accrual of annual leave,
13 depreciation of plant, property and equipment, and over-
14 head.”.

15 SEC. 420. The National Aeronautics and Space Act
16 of 1958, as amended (42 U.S.C. 2451, et seq.), is amend-
17 ed by adding at the end of title III a new section 315
18 as follows:

19 “ENHANCED-USE LEASE OF REAL PROPERTY

20 “SEC. 315. (a) IN GENERAL.—Notwithstanding any
21 other provision of law, the Administration may enter into
22 a lease under this section with any person or entity (in-
23 cluding another department or agency of the Federal Gov-
24 ernment or an entity of a State or local government) with
25 regard to any real property under the jurisdiction of the
26 Administration.

1 “(b) CONSIDERATION.—

2 “(1) A person or entity entering into a lease
3 under this section shall provide consideration for the
4 lease at fair market value as determined by the Ad-
5 ministrator, except that in the case of a lease to an-
6 other department or agency of the Federal Govern-
7 ment, that department or agency shall provide con-
8 sideration for the lease equal to the full costs of the
9 Administration in connection with the lease.

10 “(2) Consideration under this subsection may
11 take one or a combination of the following forms:

12 “(A) The payment of cash.

13 “(B) The maintenance, construction, modi-
14 fication, or improvement of facilities on real
15 property under the jurisdiction of the Adminis-
16 tration.

17 “(C) The provision of services to the Ad-
18 ministration, including launch services and pay-
19 load processing services.

20 “(D) Use by the Administration of facili-
21 ties on the property.

22 “(3)(A) The Administrator may utilize amounts
23 of cash consideration received under this subsection
24 for a lease entered into under this section to cover
25 the full costs of the Administration in connection

1 with the lease. These funds shall remain available to
2 the Administration until expended.

3 “(B) Any amounts of cash consideration re-
4 ceived under this subsection that are not utilized in
5 accordance with subparagraph (A) shall be deposited
6 in a capital asset account to be established by the
7 Administrator, shall be available for maintenance,
8 capital revitalization, and improvements of the real
9 property assets of the Administration, and shall re-
10 main available to the Administration until expended.

11 “(c) LEASE TERM.—The term of any lease entered
12 into under this section shall not exceed 75 years.

13 “(d) SCORING.—For the sole purpose of scoring
14 leaseback agreements for purposes of the Federal budget,
15 if the non-Federal entity shall exercise management con-
16 trol of the business of the public-private entity and holds
17 a majority interest in ownership in the public-private ven-
18 ture, then the project shall not be considered to be con-
19 structed on Government-owned land for the purposes of
20 the application of scoring rules.

21 “(e) AUTHORITY FOR DISPOSITION OF LEASED
22 PROPERTY.—If, during the term of a lease entered into
23 under this section, or within 90 days after the end of the
24 term of the lease, the Administrator determines that the
25 leased property is no longer needed by the Administration,

1 the Administrator may initiate action for the transfer to
2 the lessee of all right, title, and interest of the United
3 States in the property by:

4 “(1) requesting the Administrator of the Gen-
5 eral Services Administration to dispose of the prop-
6 erty for such consideration as the NASA Adminis-
7 trator and the Administrator of General Services
8 jointly determine is in the best interests of the
9 United States and upon such other terms and condi-
10 tions as the Administrators consider appropriate; or

11 “(2) taking such other disposal action author-
12 ized by statute for the transfer of property under
13 the jurisdiction of the Administration.

14 “(f) ADDITIONAL TERMS AND CONDITIONS.—The
15 Administrator may require such terms and conditions in
16 connection with a lease under this section as the Adminis-
17 trator considers appropriate to protect the interests of the
18 United States.

19 “(g) RELATIONSHIP TO OTHER LEASE AUTHOR-
20 ITY.—The authority under this section to lease property
21 of the Administration is in addition to any other authority
22 to lease property of the Administration under law.”.

23 SEC. 421. The National Aeronautics and Space Act
24 of 1958, as amended (42 U.S.C. 2451, et seq.), is amend-

1 ed by adding at the end of title III a new section 316
2 as follows:

3 “CONVEYANCE OF UTILITY SYSTEMS

4 “SEC. 316. (a) CONVEYANCE AUTHORITY.—The Ad-
5 ministrator may convey a utility system or part of a utility
6 system under the jurisdiction of the Administrator to a
7 municipal, private, regional, district, or cooperative utility
8 company or other qualified entity. The conveyance may
9 consist of all right, title, and interest of the United States
10 in the utility system or such lesser estate as the Adminis-
11 trator considers appropriate to serve the interests of the
12 United States.

13 “(b) SELECTION OF CONVEYEE.—The Administrator
14 shall carry out the conveyance through the use of competi-
15 tive procedures if more than one of the entities and utili-
16 ties referred to in subsection (a)—

17 “(1) are eligible to operate and maintain the
18 conveyed utility system under applicable law regu-
19 lating utilities; and

20 “(2) notify the Administrator of an interest in
21 the conveyance under subsection (a).

22 “(c) CONSIDERATION.—The Administrator shall re-
23 quire as consideration for a conveyance under subsection
24 (a) an amount equal to the fair market value (as deter-
25 mined by the Administrator) of the right, title, or interest

1 of the United States conveyed. The consideration may
2 take the form of—

3 “(1) a lump-sum payment; or

4 “(2) a reduction in charges for utility services
5 provided by the utility or entity concerned to the fa-
6 cility at which the utility system is located for a pe-
7 riod of time that is sufficient to amortize the value
8 of the utility system (including any real property or
9 interest in real property) conveyed.

10 “(d) TREATMENT OF PAYMENTS.—Subject to appro-
11 priations, a lump-sum payment received under subsection
12 (c) shall be merged with and made available for the same
13 purposes as amounts available for construction of facilities
14 in the ‘Human space flight’ and the ‘Science, aeronautics,
15 and technology’ accounts.

16 “(e) ADDITIONAL TERMS AND CONDITIONS.—The
17 Administrator may require such additional terms and con-
18 ditions in connection with a conveyance under subsection
19 (a) as the Administrator considers appropriate to protect
20 the interests of the United States.

21 “(f) UTILITY SYSTEM DEFINED.—In this section, the
22 term ‘utility system’ means any of the following:

23 “(1) A system for the generation or distribution
24 of electric power.

1 (2) A system for the treatment or supply of
2 water.

3 (3) A system for the collection or treatment of
4 wastewater.

5 (4) A system for the generation or supply of
6 steam, hot water, or chilled water.

7 (5) A system for the supply of natural gas.

8 (6) A system for the transmission of tele-
9 communications.

10 (7) Any other utility system that the Adminis-
11 trator considers to be appropriate.”.

12 SEC. 422. Section 432 of Public Law 104–204 is
13 amended in subsection (j) by striking “September 30,
14 2002,” and inserting in lieu thereof “September 30,
15 2005.”.

16 SEC. 423. Notwithstanding 42 U.S.C. 5196c,
17 amounts provided in Public Law 107–117 and subsequent
18 appropriations Acts for the construction of emergency op-
19 erations centers (or similar facilities) shall only require a
20 25 percent non-Federal cost share.

21 This Act may be cited as the “Departments of Vet-
22 erans Affairs and Housing and Urban Development, and
23 Independent Agencies Appropriations Act, 2003”.

Calendar No. 460

107TH CONGRESS
2^D SESSION

H. R. 5605

[Report No. 107-740]

A BILL

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003, and for other purposes.

OCTOBER 10, 2002

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed